

ASSEMBLY BILL

No. 2239

Introduced by Assembly Member Norby

February 24, 2012

An act to amend Section 170.1 of the Code of Civil Procedure, and to amend Sections 56100.1, 82036.5, 83124, 84101, 84103, 84108, 84203.3, 84203.5, 84204, 84204.5, 84215, 84216, 84218, 84300, 84308, 84602, 84604, 84605, 84609, 85304, 85304.5, 85306, 85310, 85315, 85316, 85501, 89510, 89511.5, 89512.5, 89513, and 90002 of, to repeal Sections 84200.5, 84200.6, 84200.7, 84200.8, 84200.9, 84202.3, 84202.5, 84202.7, 84203, 84205, 84206, 84209, 84211, 84216.5, 84220, 84302, 85300, 85301, 85302, 85303, 85305, 85307, 85309, 85314, 85320, 85321, 85701, 85702, and 85704 of, to repeal Article 2.5 (commencing with Section 84250) of Chapter 4 of Title 9 of, and to repeal and add Section 84200 of, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL’S DIGEST

AB 2239, as introduced, Norby. Political Reform Act of 1974.

The Political Reform Act of 1974 imposes various limitations on contributions that may be made to, or accepted by, candidates for elective office and campaign committees that support or oppose candidates and ballot measures, including, among other things, limiting the maximum dollar amount of contributions that may be accepted by candidates for elective state office, prohibiting candidates from accepting public funds for the purpose of seeking public office, limiting contributions to an officer of an agency from a party who has a financial interest in a permit or license proceeding before that agency, and prohibiting elected state officers or candidates for elective state office

from accepting contributions from lobbyists registered to lobby the governmental agency of which the elected official is a member or for which the candidate seeks election.

This bill would repeal limitations on contributions that may be made to, or accepted by, candidates for elective office.

The act requires candidates and committees to file specified campaign finance reports, including semiannual statements, preelection statements, supplemental preelection statements, and late contribution reports, that include prescribed campaign finance information.

This bill would repeal the requirements to file these reports and would, instead, require that a candidate or committee who makes or receives a contribution of \$100 or more to report that contribution to specified filing officers within 24 hours of receiving the contribution. The bill would require a candidate or committee making the contribution to report his, her, or its full name and address, the full name and address of the recipient, the office sought by the candidate or the ballot measure, as appropriate, and the date and amount of the contribution. The bill would require the recipient of the contribution to report his, her, or its full name and address, the date and amount of the contribution, whether the contribution is in the form of a loan, and the full name of the contributor, and his or her street address, occupation, and employer or the name of the business, if self-employed. The bill would require a candidate or committee who is required to report to the Secretary of State to file the report online or by electronic transmission only.

The bill would also make conforming changes.

By increasing the duties of local government officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the act may be amended by a statute that becomes effective upon approval of the voters.

This bill would require the Secretary of State to submit the provisions of the bill that would amend the Political Reform Act of 1974 to the voters for approval at a statewide election, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 170.1 of the Code of Civil Procedure is
2 amended to read:

3 170.1. (a) A judge shall be disqualified if any one or more of
4 the following are true:

5 (1) (A) The judge has personal knowledge of disputed
6 evidentiary facts concerning the proceeding.

7 (B) A judge shall be deemed to have personal knowledge within
8 the meaning of this paragraph if the judge, or the spouse of the
9 judge, or a person within the third degree of relationship to either
10 of them, or the spouse of such a person, is to the judge's knowledge
11 likely to be a material witness in the proceeding.

12 (2) (A) The judge served as a lawyer in the proceeding, or in
13 any other proceeding involving the same issues he or she served
14 as a lawyer for a party in the present proceeding, or gave advice
15 to a party in the present proceeding upon a matter involved in the
16 action or proceeding.

17 (B) A judge shall be deemed to have served as a lawyer in the
18 proceeding if within the past two years:

19 (i) A party to the proceeding, or an officer, director, or trustee
20 of a party, was a client of the judge when the judge was in the
21 private practice of law or a client of a lawyer with whom the judge
22 was associated in the private practice of law.

23 (ii) A lawyer in the proceeding was associated in the private
24 practice of law with the judge.

25 (C) A judge who served as a lawyer for, or officer of, a public
26 agency that is a party to the proceeding shall be deemed to have
27 served as a lawyer in the proceeding if he or she personally advised
28 or in any way represented the public agency concerning the factual
29 or legal issues in the proceeding.

30 (3) (A) The judge has a financial interest in the subject matter
31 in a proceeding or in a party to the proceeding.

32 (B) A judge shall be deemed to have a financial interest within
33 the meaning of this paragraph if:

34 (i) A spouse or minor child living in the household has a
35 financial interest.

36 (ii) The judge or the spouse of the judge is a fiduciary who has
37 a financial interest.

1 (C) A judge has a duty to make reasonable efforts to inform
2 himself or herself about his or her personal and fiduciary interests
3 and those of his or her spouse and the personal financial interests
4 of children living in the household.

5 (4) The judge, or the spouse of the judge, or a person within the
6 third degree of relationship to either of them, or the spouse of such
7 a person, is a party to the proceeding or an officer, director, or
8 trustee of a party.

9 (5) A lawyer or a spouse of a lawyer in the proceeding is the
10 spouse, former spouse, child, sibling, or parent of the judge or the
11 judge's spouse or if such a person is associated in the private
12 practice of law with a lawyer in the proceeding.

13 (6) (A) For any reason:

14 (i) The judge believes his or her recusal would further the
15 interests of justice.

16 (ii) The judge believes there is a substantial doubt as to his or
17 her capacity to be impartial.

18 (iii) A person aware of the facts might reasonably entertain a
19 doubt that the judge would be able to be impartial.

20 (B) Bias or prejudice toward a lawyer in the proceeding may
21 be grounds for disqualification.

22 (7) By reason of permanent or temporary physical impairment,
23 the judge is unable to properly perceive the evidence or is unable
24 to properly conduct the proceeding.

25 (8) (A) The judge has a current arrangement concerning
26 prospective employment or other compensated service as a dispute
27 resolution neutral or is participating in, or, within the last two years
28 has participated in, discussions regarding prospective employment
29 or service as a dispute resolution neutral, or has been engaged in
30 that employment or service, and any of the following applies:

31 (i) The arrangement is, or the prior employment or discussion
32 was, with a party to the proceeding.

33 (ii) The matter before the judge includes issues relating to the
34 enforcement of either an agreement to submit a dispute to an
35 alternative dispute resolution process or an award or other final
36 decision by a dispute resolution neutral.

37 (iii) The judge directs the parties to participate in an alternative
38 dispute resolution process in which the dispute resolution neutral
39 will be an individual or entity with whom the judge has the

1 arrangement, has previously been employed or served, or is
2 discussing or has discussed the employment or service.

3 (iv) The judge will select a dispute resolution neutral or entity
4 to conduct an alternative dispute resolution process in the matter
5 before the judge, and among those available for selection is an
6 individual or entity with whom the judge has the arrangement,
7 with whom the judge has previously been employed or served, or
8 with whom the judge is discussing or has discussed the employment
9 or service.

10 (B) For the purposes of this paragraph, all of the following
11 apply:

12 (i) “Participating in discussions” or “has participated in
13 discussion” means that the judge solicited or otherwise indicated
14 an interest in accepting or negotiating possible employment or
15 service as an alternative dispute resolution neutral, or responded
16 to an unsolicited statement regarding, or an offer of, that
17 employment or service by expressing an interest in that
18 employment or service, making an inquiry regarding the
19 employment or service, or encouraging the person making the
20 statement or offer to provide additional information about that
21 possible employment or service. If a judge’s response to an
22 unsolicited statement regarding, a question about, or offer of,
23 prospective employment or other compensated service as a dispute
24 resolution neutral is limited to responding negatively, declining
25 the offer, or declining to discuss that employment or service, that
26 response does not constitute participating in discussions.

27 (ii) “Party” includes the parent, subsidiary, or other legal affiliate
28 of any entity that is a party and is involved in the transaction,
29 contract, or facts that gave rise to the issues subject to the
30 proceeding.

31 (iii) “Dispute resolution neutral” means an arbitrator, mediator,
32 temporary judge appointed under Section 21 of Article VI of the
33 California Constitution, referee appointed under Section 638 or
34 639, special master, neutral evaluator, settlement officer, or
35 settlement facilitator.

36 (9) (A) The judge has received a contribution in excess of one
37 thousand five hundred dollars—~~(\$1,500)~~ (\$1,500) from a party or
38 lawyer in the proceeding, and either of the following applies:

39 (i) The contribution was received in support of the judge’s last
40 election, if the last election was within the last six years.

(ii) The contribution was received in anticipation of an upcoming election.

(B) Notwithstanding subparagraph (A), the judge shall be disqualified based on a contribution of a lesser amount if subparagraph (A) of paragraph (6) applies.

(C) The judge shall disclose any contribution from a party or lawyer in a matter that is before the court that is required to be reported under ~~subdivision (f) of Section 84211~~ *Section 84200* of the Government Code, even if the amount would not require disqualification under this paragraph. The manner of disclosure shall be the same as that provided in Canon 3E of the Code of Judicial Ethics.

(D) Notwithstanding paragraph (1) of subdivision (b) of Section 170.3, the disqualification required under this paragraph may be waived by the party that did not make the contribution unless there are other circumstances that would prohibit a waiver pursuant to paragraph (2) of subdivision (b) of Section 170.3.

(b) A judge before whom a proceeding was tried or heard shall be disqualified from participating in any appellate review of that proceeding.

(c) At the request of a party or on its own motion an appellate court shall consider whether in the interests of justice it should direct that further proceedings be heard before a trial judge other than the judge whose judgment or order was reviewed by the appellate court.

SEC. 2. Section 56100.1 of the Government Code is amended to read:

56100.1. (a) Contributions and expenditures for political purposes related to a proposal or proceeding shall be disclosed and reported pursuant to ~~Article 2.5 2~~ (commencing with Section ~~84250~~ *84200*) of Chapter 4 of the Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).

(b) A commission may require, through the adoption of written policies and procedures, additional disclosure of contributions in support of or opposition to a proposal, which shall be made either to the commission's executive officer, in which case it shall be posted on the commission's Internet Web site, if applicable, or to the board of supervisors of the county in which the commission is located, which may designate a county officer to receive the disclosure. Disclosure pursuant to a requirement under the authority

provided in this section shall be in addition to any disclosure otherwise required by Section 56700.1, 57009, or local ordinance.

SEC. 3. Section 82036.5 of the Government Code is amended to read:

82036.5. "Late independent expenditure" means any independent expenditure that totals in the aggregate one thousand dollars (\$1,000) or more and is made for or against any specific candidate or measure involved in an election *within the 12 days* before the date of the election ~~but after the closing date of the last campaign statement required to be filed prior to the election by a candidate or committee participating in the election~~. For purposes of the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board, "the date of the election" is the deadline to return ballots.

SEC. 4. Section 83124 of the Government Code is amended to read:

83124. The commission shall adjust the ~~contribution limitations and voluntary expenditure limitations provisions in Sections 85301, 85302, 85303, and Section 85400~~ in January of every odd-numbered year to reflect any increase or decrease in the Consumer Price Index. Those adjustments shall be rounded to the nearest ~~one hundred dollars (\$100) for limitations on contributions and one thousand dollars (\$1,000) for limitations on expenditures~~.

SEC. 5. Section 84101 of the Government Code is amended to read:

84101. (a) A committee that is a committee by virtue of subdivision (a) of Section 82013 shall file a statement of organization. The committee shall file the original of the statement of organization with the Secretary of State and shall also file a copy of the statement of organization with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215. The original and copy of the statement of organization shall be filed within 10 days after the committee has qualified as a committee. The Secretary of State shall assign a number to each committee that files a statement of organization and shall notify the committee of the number. The Secretary of State shall send a copy of statements filed pursuant to this section to the county elections official of each county that he or she deems appropriate. A county elections official who receives a copy of a statement of organization from the

1 Secretary of State pursuant to this section shall send a copy of the
2 statement to the clerk of each city in the county that he or she
3 deems appropriate.

4 (b) In addition to filing the statement of organization as required
5 by subdivision (a), if a committee qualifies as a committee under
6 subdivision (a) of Section 82013 *within the 12 days* before the date
7 of an election in connection with which the committee is required
8 to file ~~pre-election campaign~~ statements, ~~but after the closing date~~
9 ~~of the last campaign statement required to be filed before the~~
10 ~~election pursuant to Section 84200.7, 84200.8, or 84200.9,~~ the
11 committee shall file, by facsimile transmission, guaranteed
12 overnight delivery, or personal delivery within 24 hours of
13 qualifying as a committee, the information required to be reported
14 in the statement of organization. The information required by this
15 subdivision shall be filed with the filing officer with whom the
16 committee is required to file the originals of its campaign reports
17 pursuant to Section 84215.

18 (c) If an independent expenditure committee qualifies as a
19 committee pursuant to subdivision (a) of Section 82013 during the
20 time period described in Section 82036.5 and makes independent
21 expenditures of one thousand dollars (\$1,000) or more to support
22 or oppose a candidate or candidates for office, the committee shall
23 file, by facsimile transmission, online transmission, guaranteed
24 overnight delivery, or personal delivery within 24 hours of
25 qualifying as a committee, the information required to be reported
26 in the statement of organization. The information required by this
27 section shall be filed with the filing officer with whom the
28 committee is required to file the original of its campaign reports
29 pursuant to Section 84215, and shall be filed at all locations
30 required for the candidate or candidates supported or opposed by
31 the independent expenditures. The filings required by this section
32 are in addition to filings that may be required by ~~Sections 84203.5~~
33 ~~and Section 84204.~~

34 (d) For purposes of this section, in calculating whether one
35 thousand dollars (\$1,000) in contributions has been received,
36 payments for a filing fee or for a statement of qualifications to
37 appear in a sample ballot shall not be included if these payments
38 have been made from the candidate's personal funds.

39 SEC. 6. Section 84103 of the Government Code is amended
40 to read:

84103. (a) Whenever there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change. The committee shall file the original of the amendment with the Secretary of State and shall also file a copy of the amendment with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(b) In addition to filing an amendment to a statement of organization as required by subdivision (a), a committee as defined in subdivision (a) of Section 82013 shall, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery within 24 hours, notify the filing officer with whom it is required to file the originals of its campaign reports pursuant to Section 84215 when the change requiring the amendment occurs *within the 12 days* before the date of the election in connection with which the committee is required to file a ~~preelection campaign~~ statement, ~~but after the closing date of the last preelection statement required to be filed for the election pursuant to Section 84200.7 or 84200.8~~; if any of the following information is changed:

- (1) The name of the committee.
- (2) The name of the treasurer or other principal officers.
- (3) The name of any candidate or committee by which the committee is controlled or with which it acts jointly.

The notification shall include the changed information, the date of the change, the name of the person providing the notification, and the committee's name and identification number.

A committee may file a notification online only if the appropriate filing officer is capable of receiving the notification in that manner.

SEC. 7. Section 84108 of the Government Code is amended to read:

84108. (a) Every slate mailer organization shall comply with the requirements of Sections 84100, 84101, 84103, and 84104.

(b) The statement of organization of a slate mailer organization shall include:

- (1) The name, street address, and telephone number of the organization. In the case of an individual or business entity that qualifies as a slate mailer organization, the name of the slate mailer organization shall include the name by which the individual or entity is identified for legal purposes. Whenever identification of

1 a slate mailer organization is required by this title, the identification
2 shall include the full name of the slate mailer organization as
3 contained in its statement of organization.

4 (2) The full name, street address, and telephone number of the
5 treasurer and other principal officers.

6 (3) The full name, street address, and telephone number of each
7 person with final decisionmaking authority as to which candidates
8 or measures will be supported or opposed in the organization's
9 slate mailers.

10 (c) The statement of organization shall be filed with the
11 Secretary of State within 10 days after the slate mailer organization
12 receives or is promised five hundred dollars (\$500) or more for
13 producing one or more slate mailers. However, if an entity qualifies
14 as a slate mailer organization *within the 12 days* before the date
15 of an election in which it is required to file ~~preelection campaign~~
16 ~~statements, but after the closing date of the last campaign statement~~
17 ~~required to be filed before the election pursuant to Section 84218,~~
18 the slate mailer organization shall file with the Secretary of State,
19 by facsimile transmission, guaranteed overnight delivery, or
20 personal delivery within 24 hours of qualifying as a slate mailer
21 organization, the information required to be reported in the
22 statement of organization.

23 SEC. 8. Section 84200 of the Government Code is repealed.

24 ~~84200. (a) Except as provided in paragraphs (1), (2), and (3),~~
25 ~~elected officers, candidates, and committees pursuant to subdivision~~
26 ~~(a) of Section 82013 shall file semiannual statements each year no~~
27 ~~later than July 31 for the period ending June 30, and no later than~~
28 ~~January 31 for the period ending December 31.~~

29 ~~(1) A candidate who, during the past six months has filed a~~
30 ~~declaration pursuant to Section 84206 shall not be required to file~~
31 ~~a semiannual statement for that six-month period.~~

32 ~~(2) Elected officers whose salaries are less than two hundred~~
33 ~~dollars (\$200) a month, judges, judicial candidates, and their~~
34 ~~controlled committees shall not file semiannual statements pursuant~~
35 ~~to this subdivision for any six-month period in which they have~~
36 ~~not made or received any contributions or made any expenditures.~~

37 ~~(3) A judge who is not listed on the ballot for reelection to, or~~
38 ~~recall from, any elective office during a calendar year shall not~~
39 ~~file semiannual statements pursuant to this subdivision for any~~
40 ~~six-month period in that year if both of the following apply:~~

1 ~~(A) The judge has not received any contributions.~~

2 ~~(B) The only expenditures made by the judge during the calendar~~
3 ~~year are contributions from the judge's personal funds to other~~
4 ~~candidates or committees totaling less than one thousand dollars~~
5 ~~(\$1,000).~~

6 ~~(b) All committees pursuant to subdivision (b) or (c) of Section~~
7 ~~82013 shall file campaign statements each year no later than July~~
8 ~~31 for the period ending June 30, and no later than January 31 for~~
9 ~~the period ending December 31, if they have made contributions~~
10 ~~or independent expenditures, including payments to a slate mailer~~
11 ~~organization, during the six-month period before the closing date~~
12 ~~of the statements.~~

13 SEC. 9. Section 84200 is added to the Government Code, to
14 read:

15 84200. (a) Each candidate or committee that makes or receives
16 a contribution of one hundred dollars (\$100) or more shall report
17 the contribution to each office with which the candidate or
18 committee is required to file its statements pursuant to Section
19 84215 or 84218. The candidate or committee that makes the
20 contribution shall report his or her full name and street address
21 and the full name and street address of the person to whom the
22 contribution has been made, the office sought if the recipient is a
23 candidate, or the ballot measure number or letter if the recipient
24 is a committee primarily formed to support or oppose a ballot
25 measure, and the date and amount of the contribution. The recipient
26 of the contribution shall report his or her full name and street
27 address, the date and amount of the contribution, and whether the
28 contribution was made in the form of a loan. The recipient shall
29 also report the full name of the contributor, his or her street address,
30 occupation, and the name of his or her employer, or if
31 self-employed, the name of the business.

32 (b) A contribution shall be reported by facsimile transmission,
33 guaranteed overnight delivery, or personal delivery within 24 hours
34 of the time it is made in the case of the candidate or committee
35 that makes the contribution and within 24 hours of the time it is
36 received in the case of the recipient. If a contribution is required
37 to be reported to the Secretary of State, the report to the Secretary
38 of State shall be by online or electronic transmission only.

1 (c) A contribution need not be reported, nor shall it be deemed
2 accepted, if it is not cashed, negotiated, or deposited and is returned
3 to the contributor within 24 hours of its receipt.

4 SEC. 10. Section 84200.5 of the Government Code is repealed.

5 ~~84200.5. In addition to the campaign statements required by~~
6 ~~Section 84200, elected officers, candidates, and committees shall~~
7 ~~file preelection statements as follows:~~

8 ~~(a) During an even-numbered year, all candidates for elective~~
9 ~~state office being voted upon in the statewide direct primary~~
10 ~~election or the statewide general election, their controlled~~
11 ~~committees, and committees primarily formed to support or oppose~~
12 ~~an elected state officer or a state candidate being voted upon shall~~
13 ~~file the applicable preelection statements specified in Section~~
14 ~~84200.7 or 84200.8. All elected state officers who, during the~~
15 ~~applicable reporting periods covered by Section 84200.7 or~~
16 ~~84200.8, contribute to any committee required to report receipts,~~
17 ~~expenditures, or contributions pursuant to this title, or make an~~
18 ~~independent expenditure, shall file the applicable preelection~~
19 ~~statements specified in Section 84200.7 or 84200.8. However, a~~
20 ~~candidate for an office that is not being voted upon in the~~
21 ~~November election, his or her controlled committee, and any~~
22 ~~committee primarily formed to support or oppose that candidate~~
23 ~~is not required to file statements in connection with the November~~
24 ~~election pursuant to subdivision (b) of Section 84200.7 unless,~~
25 ~~during the reporting periods covered by Section 84200.7, the~~
26 ~~candidate, his or her controlled committee, or any committee~~
27 ~~primarily formed to support or oppose that candidate contributes~~
28 ~~to any committee required to report receipts, expenditures, or~~
29 ~~contributions pursuant to this title or makes independent~~
30 ~~expenditures.~~

31 ~~(b) During an even-numbered year, all candidates not specified~~
32 ~~in subdivision (a) who are running for offices being voted upon~~
33 ~~on the first Tuesday after the first Monday in June or November,~~
34 ~~their controlled committees, and committees primarily formed to~~
35 ~~support or oppose those candidates or a measure being voted upon~~
36 ~~on the first Tuesday after the first Monday in June or November~~
37 ~~of an even-numbered year shall file the preelection statements~~
38 ~~specified in subdivision (a) of Section 84200.7 in the case of a~~
39 ~~June election, or subdivision (b) of Section 84200.7 in the case of~~
40 ~~a November election.~~

1 ~~(e) All candidates for offices being voted upon on a date other~~
2 ~~than the first Tuesday after the first Monday in June or November~~
3 ~~of an even-numbered year, their controlled committees, and~~
4 ~~committees primarily formed to support or oppose a candidate or~~
5 ~~a measure being voted upon on a date other than the first Tuesday~~
6 ~~after the first Monday in June or November of an even-numbered~~
7 ~~year shall file the preelection statements specified in Section~~
8 ~~84200.8.~~

9 ~~(d) During an election period for the Board of Administration~~
10 ~~of the Public Employees' Retirement System or the Teachers'~~
11 ~~Retirement Board, all candidates for these boards, their controlled~~
12 ~~committees, and committees primarily formed to support or oppose~~
13 ~~the candidates shall file the preelection statements specified in~~
14 ~~Section 84200.9.~~

15 ~~(e) In an even-numbered year in which the statewide direct~~
16 ~~primary election is held on the first Tuesday after the first Monday~~
17 ~~in June, a state or county general purpose committee formed~~
18 ~~pursuant to subdivision (a) of Section 82013, other than a political~~
19 ~~party committee as defined in Section 85205, shall file the~~
20 ~~preelection statements specified in Section 84200.7 if it makes~~
21 ~~contributions or independent expenditures totaling five hundred~~
22 ~~dollars (\$500) or more during the period covered by the preelection~~
23 ~~statement. A state or county general purpose committee formed~~
24 ~~pursuant to subdivision (b) or (c) of Section 82013 is not required~~
25 ~~to file the statements specified in Section 84200.7.~~

26 ~~(f) During an even-numbered year in which the statewide direct~~
27 ~~primary election is held on a date other than the first Tuesday after~~
28 ~~the first Monday in June, a state or county general purpose~~
29 ~~committee formed pursuant to subdivision (a) of Section 82013,~~
30 ~~other than a political party committee as defined in Section 85205,~~
31 ~~shall file the preelection statements specified in Section 84200.8~~
32 ~~if it makes contributions or independent expenditures totaling five~~
33 ~~hundred dollars (\$500) or more during the period covered by the~~
34 ~~preelection statement. A state or county general purpose committee~~
35 ~~formed pursuant to subdivision (b) or (c) of Section 82013 is not~~
36 ~~required to file the statements specified in Section 84200.8.~~

37 ~~(g) During an election period for the Board of Administration~~
38 ~~of the Public Employees' Retirement System or the Teachers'~~
39 ~~Retirement Board, a state or county general purpose committee~~
40 ~~formed pursuant to subdivision (a) of Section 82013 shall file the~~

1 preelection statements specified in Section 84200.9 if it makes
2 contributions or independent expenditures totaling five hundred
3 dollars (\$500) or more during the period covered by the preelection
4 statement to support or oppose a candidate, or a committee
5 primarily formed to support or oppose a candidate, on the ballot
6 for the Board of Administration of the Public Employees'
7 Retirement System or the Teachers' Retirement Board. A state or
8 county general purpose committee formed pursuant to subdivision
9 (b) or (c) of Section 82013 is not required to file the statements
10 specified in Section 84200.9.

11 (h) A political party committee as defined in Section 85205
12 shall file the applicable preelection statements specified in Section
13 84200.7 or 84200.8 in connection with a state election if the
14 committee receives contributions totaling one thousand dollars
15 (\$1,000) or more, or if it makes contributions or independent
16 expenditures totaling five hundred dollars (\$500) or more, during
17 the period covered by the preelection statement.

18 (i) City general purpose committees shall file statements as
19 follows:

20 (1) City general purpose committees in a city that has an election
21 on the first Tuesday after the first Monday in June or November
22 of an even-numbered year shall file the statements specified in
23 subdivision (a) or (b) of Section 84200.7 for the six-month period
24 in which the city election is held, if they make contributions or
25 independent expenditures totaling five hundred dollars (\$500) or
26 more during the period covered by the preelection statement.

27 (2) City general purpose committees in a city that has an election
28 on a date other than the first Tuesday after the first Monday in
29 June or November of an even-numbered year shall file the
30 preelection statements specified in Section 84200.8 if they make
31 contributions or independent expenditures totaling five hundred
32 dollars (\$500) or more during the period covered by the preelection
33 statement.

34 SEC. 11. Section 84200.6 of the Government Code is repealed.

35 84200.6. In addition to the campaign statements required by
36 Sections 84200 and 84200.5, all candidates and committees shall
37 file the following special statements and reports:

38 (a) Supplemental preelection statements when required by
39 Section 84202.5.

40 (b) Late contribution reports when required by Section 84203.

1 ~~(e) Independent expenditure reports when required by Section~~
2 ~~84203.5.~~

3 ~~(d) Late independent expenditure reports when required by~~
4 ~~Section 84204.~~

5 SEC. 12. Section 84200.7 of the Government Code is repealed.

6 ~~84200.7. (a) Preelection statements for the June election period~~
7 ~~shall be filed as follows:~~

8 ~~(1) For the period ending March 17, a statement to be filed no~~
9 ~~later than March 22. However, for a special election called after~~
10 ~~March 17, or for which the period for filing nomination documents,~~
11 ~~as defined in Section 333 of the Elections Code, ends after March~~
12 ~~17, a preelection statement for the period ending 45 days before~~
13 ~~the election shall be filed no later than 40 days before the election.~~

14 ~~(2) For the period ending 17 days before the election, a statement~~
15 ~~to be filed no later than 12 days before the election. All candidates~~
16 ~~being voted upon in the June election, their controlled committees,~~
17 ~~and committees formed primarily to support or oppose a candidate~~
18 ~~or measure being voted upon in the June election shall file this~~
19 ~~statement by guaranteed overnight delivery service or by personal~~
20 ~~delivery.~~

21 ~~(b) Preelection statements for the November election period~~
22 ~~shall be filed as follows:~~

23 ~~(1) For the period ending September 30, a statement to be filed~~
24 ~~no later than October 5.~~

25 ~~(2) For the period ending 17 days before the election, a statement~~
26 ~~to be filed no later than 12 days before the election. All candidates~~
27 ~~being voted upon in the November election, their controlled~~
28 ~~committees, and committees formed primarily to support or oppose~~
29 ~~a candidate or measure being voted upon in the November election~~
30 ~~shall file this statement by guaranteed overnight delivery service~~
31 ~~or by personal delivery.~~

32 SEC. 13. Section 84200.8 of the Government Code is repealed.

33 ~~84200.8. Preelection statements shall be filed under this section~~
34 ~~as follows:~~

35 ~~(a) For the period ending 45 days before the election, the~~
36 ~~statement shall be filed no later than 40 days before the election.~~

37 ~~(b) For the period ending 17 days before the election, the~~
38 ~~statement shall be filed no later than 12 days before the election.~~
39 ~~All candidates being voted upon in the election in connection with~~
40 ~~which the statement is filed, their controlled committees, and~~

1 committees formed primarily to support or oppose a candidate or
2 measure being voted upon in that election shall file this statement
3 by guaranteed overnight delivery service or by personal delivery.

4 (e) ~~For runoff elections held within 60 days of the qualifying~~
5 ~~election, an additional preelection statement for the period ending~~
6 ~~17 days before the runoff election shall be filed no later than 12~~
7 ~~days before the election. All candidates being voted upon in the~~
8 ~~election in connection with which the statement is filed, their~~
9 ~~controlled committees, and committees formed primarily to support~~
10 ~~or oppose a candidate or measure being voted upon in that election~~
11 ~~shall file this statement by guaranteed overnight delivery service~~
12 ~~or personal delivery.~~

13 SEC. 14. Section 84200.9 of the Government Code is repealed.

14 ~~84200.9. Preelection statements for an election period for the~~
15 ~~Board of Administration of the Public Employees' Retirement~~
16 ~~System or the Teachers' Retirement Board shall be filed as follows:~~

17 (a) ~~For the period ending five days before the beginning of the~~
18 ~~ballot period, as determined by the relevant board, a statement~~
19 ~~shall be filed no later than two days before the beginning of the~~
20 ~~ballot period.~~

21 (b) ~~For the period ending five days before the deadline to return~~
22 ~~ballots, as determined by the relevant board, a statement shall be~~
23 ~~filed no later than two days before the deadline to return ballots.~~

24 (c) ~~In the case of a runoff election, for the period ending five~~
25 ~~days before the deadline to return runoff ballots, as determined by~~
26 ~~the relevant board, a statement shall be filed no later than two days~~
27 ~~before the deadline to return runoff ballots.~~

28 (d) ~~All candidates being voted upon, their controlled committees,~~
29 ~~and committees primarily formed to support or oppose a candidate~~
30 ~~being voted upon in that election shall file the statements specified~~
31 ~~in subdivisions (b) and (c) by guaranteed overnight delivery service~~
32 ~~or by personal delivery.~~

33 SEC. 15. Section 84202.3 of the Government Code is repealed.

34 ~~84202.3. (a) In addition to the campaign statements required~~
35 ~~by Section 84200, committees pursuant to subdivision (a) of~~
36 ~~Section 82013 that are primarily formed to support or oppose the~~
37 ~~qualification, passage, or defeat of a measure and proponents of a~~
38 ~~state ballot measure who control a committee formed or existing~~
39 ~~primarily to support the qualification, passage, or defeat of a state~~

1 ballot measure, shall file campaign statements on the following
2 dates:

3 (1) ~~No later than April 30 for the period January 1 through~~
4 ~~March 31.~~

5 (2) ~~No later than October 31 for the period July 1 through~~
6 ~~September 30.~~

7 (b) ~~This section shall not apply to a committee during any~~
8 ~~semiannual period in which the committee is required to file~~
9 ~~preelection statements pursuant to subdivision (a), (b), or (c) of~~
10 ~~Section 84200.5.~~

11 (c) ~~This section shall not apply to a committee following the~~
12 ~~election at which the measure is voted upon unless the committee~~
13 ~~makes contributions or expenditures to support or oppose the~~
14 ~~qualification or passage of another ballot measure.~~

15 SEC. 16. Section 84202.5 of the Government Code is repealed.

16 84202.5. (a) Any candidate or any committee pursuant to
17 subdivision (a) of Section 82013 which makes contributions
18 totaling ten thousand dollars (\$10,000) or more in connection with
19 an election, including a runoff election, shall file a supplemental
20 preelection statement no later than 12 days before the election, for
21 the period ending 17 days before the election. This statement shall
22 be filed by guaranteed overnight delivery service or by personal
23 delivery with each office with which the candidate or committee
24 filing the statement is required to file its next campaign statement
25 pursuant to Section 84215.

26 (b) ~~This section shall not apply to candidates or committees~~
27 ~~during any semiannual period in which the candidate or committee~~
28 ~~is required to file preelection statements pursuant to Section~~
29 ~~84200.5.~~

30 (c) ~~If a candidate or committee makes contributions totaling ten~~
31 ~~thousand dollars (\$10,000) or more in connection with an election~~
32 ~~and all of those contributions are reported pursuant to Section~~
33 ~~84200 or 84202.7 on or before the closing date specified in~~
34 ~~subdivision (a), the candidate or committee shall not be required~~
35 ~~to file additional statements for that period pursuant to this section.~~

36 SEC. 17. Section 84202.7 of the Government Code is repealed.

37 84202.7. (a) Except as provided in subdivision (b), during an
38 odd-numbered year, any committee by virtue of Section 82013
39 that makes contributions totaling ten thousand dollars (\$10,000)
40 or more to elected state officers, their controlled committees, or

~~committees primarily formed to support or oppose any elected state officer during a period specified below shall file campaign statements on the following dates:~~

~~(1) No later than April 30 for the period of January 1 through March 31.~~

~~(2) No later than October 31 for the period of July 1 through September 30.~~

~~(b) If a committee makes contributions totaling ten thousand dollars (\$10,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified in subdivision (a), and all of those contributions are reported pursuant to Section 84202.5 on or before the time specified in subdivision (a), the committee shall not be required to file additional statements for that period pursuant to this section.~~

SEC. 18. Section 84203 of the Government Code is repealed.

~~84203. (a) Each candidate or committee that makes or receives a late contribution, as defined in Section 82036, shall report the late contribution to each office with which the candidate or committee is required to file its next campaign statement pursuant to Section 84215. The candidate or committee that makes the late contribution shall report his or her full name and street address and the full name and street address of the person to whom the late contribution has been made, the office sought if the recipient is a candidate, or the ballot measure number or letter if the recipient is a committee primarily formed to support or oppose a ballot measure, and the date and amount of the late contribution. The recipient of the late contribution shall report his or her full name and street address, the date and amount of the late contribution, and whether the contribution was made in the form of a loan. The recipient shall also report the full name of the contributor, his or her street address, occupation, and the name of his or her employer, or if self-employed, the name of the business.~~

~~(b) A late contribution shall be reported by facsimile transmission, guaranteed overnight delivery, or personal delivery within 24 hours of the time it is made in the case of the candidate or committee that makes the contribution and within 24 hours of the time it is received in the case of the recipient. If a late contribution is required to be reported to the Secretary of State, the report to the Secretary of State shall be by online or electronic~~

1 ~~transmission only. A late contribution shall be reported on~~
2 ~~subsequent campaign statements without regard to reports filed~~
3 ~~pursuant to this section.~~

4 ~~(e) A late contribution need not be reported nor shall it be~~
5 ~~deemed accepted if it is not cashed, negotiated, or deposited and~~
6 ~~is returned to the contributor within 24 hours of its receipt.~~

7 ~~(d) A report filed pursuant to this section shall be in addition to~~
8 ~~any other campaign statement required to be filed by this chapter.~~

9 ~~(e) The report required pursuant to this section is not required~~
10 ~~to be filed by a candidate or committee that has disclosed the late~~
11 ~~contribution pursuant to subdivision (a) or (b) of Section 85309.~~

12 SEC. 19. Section 84203.3 of the Government Code is amended
13 to read:

14 84203.3. ~~(a)~~ Any candidate or committee that makes a late
15 contribution that is an in-kind contribution shall notify the recipient
16 in writing of the value of the in-kind contribution. The notice shall
17 be received by the recipient within 24 hours of the time the
18 contribution is made.

19 ~~(b) Nothing in this section shall relieve a candidate or committee~~
20 ~~that makes a late in-kind contribution or the recipient of a late~~
21 ~~in-kind contribution from the requirement to file late contribution~~
22 ~~reports pursuant to Section 84203. However, a report filed by the~~
23 ~~recipient of a late in-kind contribution shall be deemed timely filed~~
24 ~~if it is received by the filing officer within 48 hours of the time the~~
25 ~~contribution is received.~~

26 SEC. 20. Section 84203.5 of the Government Code is amended
27 to read:

28 84203.5. (a) In addition to any campaign statements required
29 by this article, if a candidate or committee has made independent
30 expenditures totaling one thousand dollars (\$1,000) or more in a
31 calendar year to support or oppose a candidate, a measure or
32 qualification of a measure, it shall file independent expenditure
33 reports at the same time, covering the same periods, and in the
34 places where the candidate or committee would be required to file
35 campaign statements under this article, as if it were formed or
36 existing primarily to support or oppose the candidate or measure
37 or qualification of the measure. No independent expenditure report
38 need be filed to cover a period for which there has been no activity
39 to report *times prescribed by the Commission.*

1 (b) An independent expenditure report shall contain the
2 following information:

3 (1) The name, street address, and telephone number of the
4 candidate or committee making the expenditure and of the
5 committee's treasurer, and the number assigned to the committee
6 by the Secretary of State.

7 (2) If the report is related to a candidate, the full name of the
8 candidate and the office and district for which the candidate seeks
9 nomination or election. If the report is related to a measure or
10 qualification of a measure, the number or letter of the measure, or
11 if none has yet been assigned, a brief description of the subject
12 matter of the measure, and the jurisdiction in which the measure
13 is to be voted on or would be voted on if it qualified.

14 (3) The total amount of expenditures related to the candidate or
15 measure during the period covered by the report made to persons
16 who have received less than one hundred dollars (\$100).

17 (4) The total amount of expenditures related to the candidate or
18 measure during the period covered by the report made to persons
19 who have received one hundred dollars (\$100) or more.

20 (5) For each person to whom an expenditure of one hundred
21 dollars (\$100) or more related to the candidate or measure has
22 been made during the period covered by the report and for each
23 person who has provided consideration for an expenditure of one
24 hundred dollars (\$100) or more during the period covered by the
25 report:

26 (A) His or her full name.

27 (B) His or her street address.

28 (C) If the person is a committee, the name of the committee,
29 the number assigned to the committee by the Secretary of State,
30 or if no number has been assigned, the full name and street address
31 of the treasurer of the committee.

32 (D) The date of the expenditure.

33 (E) The amount of the expenditure.

34 (F) A brief description of the consideration for which each
35 expenditure was made and the value of the consideration if less
36 than the total amount of the expenditure.

37 (G) The cumulative amount of expenditures to ~~such~~ *the* person.

38 (6) A list of all the filing officers with whom the committee
39 filed its most recent campaign statement.

1 (c) Filing officers shall maintain paper reports filed pursuant to
2 this section under the name of the candidate or measure supported
3 or opposed by the independent expenditure.

4 SEC. 21. Section 84204 of the Government Code is amended
5 to read:

6 84204. (a) A committee that makes a late independent
7 expenditure, as defined in Section 82036.5, shall report the late
8 independent expenditure by facsimile transmission, guaranteed
9 overnight delivery, or personal delivery within 24 hours of the
10 time it is made. If a late independent expenditure is required to be
11 reported to the Secretary of State, the report to the Secretary of
12 State shall be by online or electronic transmission only. A late
13 independent expenditure shall be reported on subsequent campaign
14 statements without regard to reports filed pursuant to this section.

15 (b) A committee that makes a late independent expenditure shall
16 report its full name and street address, as well as the name, office,
17 and district of the candidate if the report is related to a candidate,
18 or if the report is related to a measure, the number or letter of the
19 measure, the jurisdiction in which the measure is to be voted upon,
20 and the amount and the date, as well as a description of goods or
21 services for which the late independent expenditure was made. ~~In~~
22 ~~addition to the information required by this subdivision, a~~
23 ~~committee that makes a late independent expenditure shall include~~
24 ~~with its late independent expenditure report the information~~
25 ~~required by paragraphs (1) to (5), inclusive, of subdivision (f) of~~
26 ~~Section 84211, covering the period from the day after the closing~~
27 ~~date of the last campaign report filed to the date of the late~~
28 ~~independent expenditure, or if the committee has not previously~~
29 ~~filed a campaign statement, covering the period from the previous~~
30 ~~January 1 to the date of the late independent expenditure. No~~
31 ~~information required by paragraphs (1) to (5), inclusive, of~~
32 ~~subdivision (f) of Section 84211 that is required to be reported~~
33 ~~with a late independent expenditure report by this subdivision is~~
34 ~~required to be reported on more than one late independent~~
35 ~~expenditure report.~~

36 (c) A committee that makes a late independent expenditure shall
37 file a late independent expenditure report in the places where it
38 would be required to file campaign statements under this article
39 as if it were formed or existing primarily to support or oppose the

1 candidate or measure for or against which it is making the late
2 independent expenditure.

3 (d) A report filed pursuant to this section shall be in addition to
4 any other campaign statement required to be filed by this article.

5 (e) Expenditures that have been disclosed by candidates and
6 committees pursuant to Section 85500 are not required to be
7 disclosed pursuant to this section.

8 SEC. 22. Section 84204.5 of the Government Code is amended
9 to read:

10 84204.5. (a) In addition to any other report required by this
11 title, a committee pursuant to subdivision (a) of Section 82013 that
12 is required to file reports pursuant to Section 84605 shall file online
13 or electronically with the Secretary of State each time ~~it makes~~
14 ~~contributions totaling five thousand dollars (\$5,000) or more or~~
15 ~~each time it makes independent expenditures totaling five thousand~~
16 ~~dollars (\$5,000) or more to support or oppose the qualification or~~
17 ~~passage of a single state ballot measure. The report shall be filed~~
18 ~~within 10 business days of making the contributions or independent~~
19 ~~expenditures and shall contain all of the following:~~

20 (1) The full name, street address, and identification number of
21 the committee.

22 (2) The number or letter of the measure if the measure has
23 qualified for the ballot and has been assigned a number or letter;
24 the title of the measure if the measure has not been assigned a
25 number or letter but has been issued a title by the Attorney General;
26 or the subject of the measure if the measure has not been assigned
27 a number or letter and has not been issued a title by the Attorney
28 General.

29 ~~(3) In the case of a contribution, the date and amount of the~~
30 ~~contribution and the name, address, and identification number of~~
31 ~~the committee to whom the contribution was made. In addition,~~
32 ~~the report shall include the information required by paragraphs (1)~~
33 ~~to (5), inclusive, of subdivision (f) of Section 84211, regarding~~
34 ~~contributions or loans received from a person described in that~~
35 ~~subdivision, covering the period from the day after the closing~~
36 ~~date of the last campaign report filed to the date of the contribution~~
37 ~~requiring a report under this section, or if the committee has not~~
38 ~~previously filed a campaign statement, covering the period from~~
39 ~~the previous January 1 to the date of the contribution requiring a~~
40 ~~report under this section. No information described in paragraphs~~

1 ~~(1) to (5), inclusive, of subdivision (f) of Section 84211 that is~~
2 ~~required to be reported pursuant to this subdivision is required to~~
3 ~~be reported in more than one report provided for in this subdivision~~
4 ~~for each contribution or loan received from a person described in~~
5 ~~subdivision (f) of Section 84211.~~

6 ~~(4) In the case of an independent expenditure, the date, amount,~~
7 ~~and a description of the goods or services for which the expenditure~~
8 ~~was made. In addition, the report shall include the information~~
9 ~~required by paragraphs (1) to (5), inclusive, of subdivision (f) of~~
10 ~~Section 84211 regarding contributions or loans received from a~~
11 ~~person described in that subdivision, covering the period from the~~
12 ~~day after the closing date of the last campaign report filed to the~~
13 ~~date of the expenditure, or if the committee has not previously~~
14 ~~filed a campaign statement, covering the period from the previous~~
15 ~~January 1 to the date of the expenditure. No information described~~
16 ~~in paragraphs (1) to (5), inclusive, of subdivision (f) of Section~~
17 ~~84211 that is required to be reported pursuant to this subdivision~~
18 ~~is required to be reported in more than one report provided for in~~
19 ~~this subdivision for each contribution or loan received from a~~
20 ~~person described in subdivision (f) of Section 84211.~~

21 ~~(3) The date, amount, and a description of the goods or services~~
22 ~~for which the expenditure was made.~~

23 ~~(b) Reports required by this section are not required to be filed~~
24 ~~by a committee primarily formed to support or oppose the~~
25 ~~qualification or passage of a state ballot measure for expenditures~~
26 ~~made on behalf of the ballot measure or measures for which it is~~
27 ~~formed.~~

28 ~~(c) Independent expenditures that have been disclosed by a~~
29 ~~committee pursuant to Section 84204 or 85500 are not required to~~
30 ~~be disclosed pursuant to this section.~~

31 SEC. 23. Section 84205 of the Government Code is repealed.

32 ~~84205. The commission may by regulation or written advice~~
33 ~~permit candidates and committees to file campaign statements~~
34 ~~combining statements and reports required to be filed by this title.~~

35 SEC. 24. Section 84206 of the Government Code is repealed.

36 ~~84206. (a) The commission shall provide by regulation for a~~
37 ~~short form for filing reports required by this article for candidates~~
38 ~~or officeholders who receive contributions of less than one~~
39 ~~thousand dollars (\$1,000), and who make expenditures of less than~~
40 ~~one thousand dollars (\$1,000), in a calendar year.~~

1 ~~(b) For the purposes of this section, in calculating whether one~~
2 ~~thousand dollars (\$1,000) in expenditures have been made,~~
3 ~~payments for a filing fee or for a statement of qualification shall~~
4 ~~not be included if these payments have been made from the~~
5 ~~candidate's personal funds.~~

6 ~~(c) Every candidate or officeholder who has filed a short form~~
7 ~~pursuant to subdivision (a), and who thereafter receives~~
8 ~~contributions or makes expenditures totaling one thousand dollars~~
9 ~~(\$1,000) or more in a calendar year, shall send written notification~~
10 ~~to the Secretary of State, the local filing officer, and each candidate~~
11 ~~contending for the same office within 48 hours of receiving or~~
12 ~~expending a total of one thousand dollars (\$1,000). The written~~
13 ~~notification shall revoke the previously filed short form statement.~~

14 SEC. 25. Section 84209 of the Government Code is repealed.

15 ~~84209. A candidate or state measure proponent and any~~
16 ~~committee or committees which the candidate or a state measure~~
17 ~~proponent controls may file consolidated campaign statements~~
18 ~~under this chapter. Such consolidated statements shall be filed in~~
19 ~~each place each of the committees and the candidate or state~~
20 ~~measure proponent would be required to file campaign statements~~
21 ~~if separate statements were filed.~~

22 SEC. 26. Section 84211 of the Government Code is repealed.

23 ~~84211. Each campaign statement required by this article shall~~
24 ~~contain all of the following information:~~

25 ~~(a) The total amount of contributions received during the period~~
26 ~~covered by the campaign statement and the total cumulative amount~~
27 ~~of contributions received.~~

28 ~~(b) The total amount of expenditures made during the period~~
29 ~~covered by the campaign statement and the total cumulative amount~~
30 ~~of expenditures made.~~

31 ~~(c) The total amount of contributions received during the period~~
32 ~~covered by the campaign statement from persons who have given~~
33 ~~a cumulative amount of one hundred dollars (\$100) or more.~~

34 ~~(d) The total amount of contributions received during the period~~
35 ~~covered by the campaign statement from persons who have given~~
36 ~~a cumulative amount of less than one hundred dollars (\$100).~~

37 ~~(e) The balance of cash and cash equivalents on hand at the~~
38 ~~beginning and the end of the period covered by the campaign~~
39 ~~statement.~~

1 ~~(f) If the cumulative amount of contributions (including loans)~~
2 ~~received from a person is one hundred dollars (\$100) or more and~~
3 ~~a contribution or loan has been received from that person during~~
4 ~~the period covered by the campaign statement, all of the following:~~

- 5 ~~(1) His or her full name.~~
6 ~~(2) His or her street address.~~
7 ~~(3) His or her occupation.~~
8 ~~(4) The name of his or her employer, or if self-employed, the~~
9 ~~name of the business.~~

10 ~~(5) The date and amount received for each contribution received~~
11 ~~during the period covered by the campaign statement and if the~~
12 ~~contribution is a loan, the interest rate for the loan.~~

13 ~~(6) The cumulative amount of contributions.~~

14 ~~(g) If the cumulative amount of loans received from or made to~~
15 ~~a person is one hundred dollars (\$100) or more, and a loan has~~
16 ~~been received from or made to a person during the period covered~~
17 ~~by the campaign statement, or is outstanding during the period~~
18 ~~covered by the campaign statement, all of the following:~~

- 19 ~~(1) His or her full name.~~
20 ~~(2) His or her street address.~~
21 ~~(3) His or her occupation.~~
22 ~~(4) The name of his or her employer, or if self-employed, the~~
23 ~~name of the business.~~

24 ~~(5) The original date and amount of each loan.~~

25 ~~(6) The due date and interest rate of the loan.~~

26 ~~(7) The cumulative payment made or received to date at the end~~
27 ~~of the reporting period.~~

28 ~~(8) The balance outstanding at the end of the reporting period.~~

29 ~~(9) The cumulative amount of contributions.~~

30 ~~(h) For each person, other than the filer, who is directly,~~
31 ~~indirectly, or contingently liable for repayment of a loan received~~
32 ~~or outstanding during the period covered by the campaign~~
33 ~~statement, all of the following:~~

- 34 ~~(1) His or her full name.~~
35 ~~(2) His or her street address.~~
36 ~~(3) His or her occupation.~~
37 ~~(4) The name of his or her employer, or if self-employed, the~~
38 ~~name of the business.~~

39 ~~(5) The amount of his or her maximum liability outstanding.~~

1 ~~(i) The total amount of expenditures made during the period~~
2 ~~covered by the campaign statement to persons who have received~~
3 ~~one hundred dollars (\$100) or more.~~

4 ~~(j) The total amount of expenditures made during the period~~
5 ~~covered by the campaign statement to persons who have received~~
6 ~~less than one hundred dollars (\$100).~~

7 ~~(k) For each person to whom an expenditure of one hundred~~
8 ~~dollars (\$100) or more has been made during the period covered~~
9 ~~by the campaign statement, all of the following:~~

10 ~~(1) His or her full name.~~

11 ~~(2) His or her street address.~~

12 ~~(3) The amount of each expenditure.~~

13 ~~(4) A brief description of the consideration for which each~~
14 ~~expenditure was made.~~

15 ~~(5) In the case of an expenditure which is a contribution to a~~
16 ~~candidate, elected officer, or committee or an independent~~
17 ~~expenditure to support or oppose a candidate or measure, in~~
18 ~~addition to the information required in paragraphs (1) to (4) above,~~
19 ~~the date of the contribution or independent expenditure, the~~
20 ~~cumulative amount of contributions made to a candidate, elected~~
21 ~~officer, or committee, or the cumulative amount of independent~~
22 ~~expenditures made relative to a candidate or measure; the full name~~
23 ~~of the candidate, and the office and district for which he or she~~
24 ~~seeks nomination or election, or the number or letter of the~~
25 ~~measure; and the jurisdiction in which the measure or candidate~~
26 ~~is voted upon.~~

27 ~~(6) The information required in paragraphs (1) to (4), inclusive,~~
28 ~~for each person, if different from the payee, who has provided~~
29 ~~consideration for an expenditure of five hundred dollars (\$500) or~~
30 ~~more during the period covered by the campaign statement.~~

31 ~~For purposes of subdivisions (i), (j), and (k) only, the terms~~
32 ~~“expenditure” or “expenditures” mean any individual payment or~~
33 ~~accrued expense, unless it is clear from surrounding circumstances~~
34 ~~that a series of payments or accrued expenses are for a single~~
35 ~~service or product.~~

36 ~~(l) In the case of a controlled committee, an official committee~~
37 ~~of a political party, or an organization formed or existing primarily~~
38 ~~for political purposes, the amount and source of any miscellaneous~~
39 ~~receipt.~~

1 ~~(m) If a committee is listed pursuant to subdivision (f), (g), (h),~~
2 ~~(k), (l), or (q), the number assigned to the committee by the~~
3 ~~Secretary of State shall be listed, or if no number has been assigned,~~
4 ~~the full name and street address of the treasurer of the committee.~~

5 ~~(n) In a campaign statement filed by a candidate who is a~~
6 ~~candidate in both a state primary and general election, his or her~~
7 ~~controlled committee, or a committee primarily formed to support~~
8 ~~or oppose such a candidate, the total amount of contributions~~
9 ~~received and the total amount of expenditures made for the period~~
10 ~~January 1 through June 30 and the total amount of contributions~~
11 ~~received and expenditures made for the period July 1 through~~
12 ~~December 31.~~

13 ~~(o) The full name, residential or business address, and telephone~~
14 ~~number of the filer, or in the case of a campaign statement filed~~
15 ~~by a committee defined by subdivision (a) of Section 82013, the~~
16 ~~name, street address, and telephone number of the committee and~~
17 ~~of the committee treasurer. In the case of a committee defined by~~
18 ~~subdivision (b) or (c) of Section 82013, the name that the filer uses~~
19 ~~on campaign statements shall be the name by which the filer is~~
20 ~~identified for other legal purposes or any name by which the filer~~
21 ~~is commonly known to the public.~~

22 ~~(p) If the campaign statement is filed by a candidate, the name,~~
23 ~~street address, and treasurer of any committee of which he or she~~
24 ~~has knowledge which has received contributions or made~~
25 ~~expenditures on behalf of his or her candidacy and whether the~~
26 ~~committee is controlled by the candidate.~~

27 ~~(q) A contribution need not be reported nor shall it be deemed~~
28 ~~accepted if it is not cashed, negotiated, or deposited and is returned~~
29 ~~to the contributor before the closing date of the campaign statement~~
30 ~~on which the contribution would otherwise be reported.~~

31 ~~(r) If a committee primarily formed for the qualification or~~
32 ~~support of, or opposition to, an initiative or ballot measure is~~
33 ~~required to report an expenditure to a business entity pursuant to~~
34 ~~subdivision (k) and 50 percent or more of the business entity is~~
35 ~~owned by a candidate or person controlling the committee, by an~~
36 ~~officer or employee of the committee, or by a spouse of any of~~
37 ~~these individuals, the committee's campaign statement shall also~~
38 ~~contain, in addition to the information required by subdivision (k),~~
39 ~~that person's name, the relationship of that person to the committee,~~

1 and a description of that person's ownership interest or position
2 with the business entity.

3 ~~(s) If a committee primarily formed for the qualification or~~
4 ~~support of, or opposition to, an initiative or ballot measure is~~
5 ~~required to report an expenditure to a business entity pursuant to~~
6 ~~subdivision (k), and a candidate or person controlling the~~
7 ~~committee, an officer or employee of the committee, or a spouse~~
8 ~~of any of these individuals is an officer, partner, consultant, or~~
9 ~~employee of the business entity, the committee's campaign~~
10 ~~statement shall also contain, in addition to the information required~~
11 ~~by subdivision (k), that person's name, the relationship of that~~
12 ~~person to the committee, and a description of that person's~~
13 ~~ownership interest or position with the business entity.~~

14 ~~(t) If the campaign statement is filed by a committee, as defined~~
15 ~~in subdivision (b) or (c) of Section 82013, information sufficient~~
16 ~~to identify the nature and interests of the filer, including:~~

17 ~~(1) If the filer is an individual, the name and address of the~~
18 ~~filer's employer, if any, or his or her principal place of business~~
19 ~~if the filer is self-employed, and a description of the business~~
20 ~~activity in which the filer or his or her employer is engaged.~~

21 ~~(2) If the filer is a business entity, a description of the business~~
22 ~~activity in which it is engaged.~~

23 ~~(3) If the filer is an industry, trade, or professional association,~~
24 ~~a description of the industry, trade, or profession which it~~
25 ~~represents, including a specific description of any portion or faction~~
26 ~~of the industry, trade, or profession which the association~~
27 ~~exclusively or primarily represents.~~

28 ~~(4) If the filer is not an individual, business entity, or industry,~~
29 ~~trade, or professional association, a statement of the person's nature~~
30 ~~and purposes, including a description of any industry, trade,~~
31 ~~profession, or other group with a common economic interest which~~
32 ~~the person principally represents or from which its membership~~
33 ~~or financial support is principally derived.~~

34 SEC. 27. Section 84215 of the Government Code is amended
35 to read:

36 84215. All candidates and elected officers and their controlled
37 committees, except as provided in subdivisions (d) and (e), shall
38 file one copy of the campaign statements required by Section 84200
39 with the elections official of the county in which the candidate or
40 elected official is domiciled, as defined in subdivision (b) of

1 Section 349 of the Elections Code. In addition, campaign
2 statements shall be filed at the following places:

3 (a) Statewide elected officers, including members of the State
4 Board of Equalization; Members of the Legislature; Supreme Court
5 justices, court of appeal justices, and superior court judges;
6 candidates for those offices and their controlled committees;
7 committees formed or existing primarily to support or oppose these
8 candidates, elected officers, justices and judges, or statewide
9 measures, or the qualification of state ballot measures; and all state
10 general purpose committees and filers not specified in subdivisions
11 (b) to (e), inclusive, shall file a campaign statement by online or
12 electronic means, as specified in Section 84605, and shall file the
13 original and one copy of the campaign statement in paper format
14 with the Secretary of State.

15 (b) Elected officers in jurisdictions other than legislative
16 districts, State Board of Equalization districts, or appellate court
17 districts that contain parts of two or more counties, candidates for
18 these offices, their controlled committees, and committees formed
19 or existing primarily to support or oppose candidates or local
20 measures to be voted upon in one of these jurisdictions shall file
21 the original and one copy with the elections official of the county
22 with the largest number of registered voters in the jurisdiction.

23 (c) County elected officers, candidates for these offices, their
24 controlled committees, committees formed or existing primarily
25 to support or oppose candidates or local measures to be voted upon
26 in any number of jurisdictions within one county, other than those
27 specified in subdivision (d), and county general purpose
28 committees shall file the original and one copy with the elections
29 official of the county.

30 (d) City elected officers, candidates for city office, their
31 controlled committees, committees formed or existing primarily
32 to support or oppose candidates or local measures to be voted upon
33 in one city, and city general purpose committees shall file the
34 original and one copy with the clerk of the city and are not required
35 to file with the local elections official of the county in which they
36 are domiciled.

37 (e) Elected members of the Board of Administration of the
38 Public Employees' Retirement System, elected members of the
39 Teachers' Retirement Board, candidates for these offices, their
40 controlled committees, and committees formed or existing

1 primarily to support or oppose these candidates or elected members
2 shall file the original and one copy with the Secretary of State, and
3 a copy shall be filed at the relevant board's office in Sacramento.
4 These elected officers, candidates, and committees need not file
5 with the elections official of the county in which they are
6 domiciled.

7 (f) Notwithstanding any other provision of this section, a
8 committee, candidate, or elected officer is not required to file more
9 than the original and one copy, or one copy, of a campaign
10 statement with any one county elections official or city clerk or
11 with the Secretary of State.

12 (g) If a committee is required to file campaign statements
13 required by Section 84200 ~~or 84200.5~~ in places designated in
14 subdivisions (a) to (d), inclusive, it shall continue to file these
15 statements in those places, in addition to any other places required
16 by this title, until the end of the calendar year.

17 SEC. 28. Section 84216 of the Government Code is amended
18 to read:

19 84216. (a) Notwithstanding Section 82015, a loan received
20 by a candidate or committee is a contribution unless the loan is
21 received from a commercial lending institution in the ordinary
22 course of business, or it is clear from the surrounding circumstances
23 that it is not made for political purposes.

24 (b) A loan, whether or not there is a written contract for the
25 loan, shall be reported as provided in Section ~~84211~~ 84200 when
26 any of the following apply:

27 (1) The loan is a contribution.

28 (2) The loan is received by a committee.

29 (3) The loan is received by a candidate and is used for political
30 purposes.

31 SEC. 29. Section 84216.5 of the Government Code is repealed.

32 ~~84216.5. A loan of campaign funds, whether or not there is a~~
33 ~~written contract for the loan, made by a candidate or committee~~
34 ~~shall be reported as provided in Section 84211.~~

35 SEC. 30. Section 84218 of the Government Code is amended
36 to read:

37 84218. (a) A slate mailer organization shall file semiannual
38 campaign statements no later than July 31 for the period ending
39 June 30, and no later than January 31 for the period ending
40 December 31.

1 ~~(b) In addition to the semiannual statements required by~~
2 ~~subdivision (a), slate mailer organizations shall file preelection~~
3 ~~statements as follows:~~

4 ~~(1) Any slate mailer organization which produces a slate mailer~~
5 ~~supporting or opposing candidates or measures being voted on in~~
6 ~~an election held upon the first Tuesday after the first Monday in~~
7 ~~June or November of an even-numbered year shall file the~~
8 ~~statements specified in Section 84200.7 if, during the period~~
9 ~~covered by the preelection statement, the slate mailer organization~~
10 ~~receives payments totaling five hundred dollars (\$500) or more~~
11 ~~from any person for the support of or opposition to candidates or~~
12 ~~ballot measures in one or more slate mailers, or expends five~~
13 ~~hundred dollars (\$500) or more to produce one or more slate~~
14 ~~mailers:~~

15 ~~(2) Any slate mailer organization which produces a slate mailer~~
16 ~~supporting or opposing candidates or measures being voted on in~~
17 ~~an election held on a date other than the first Tuesday after the~~
18 ~~first Monday in June or November of an even-numbered year shall~~
19 ~~file the statements specified in Section 84200.8 if, during the period~~
20 ~~covered by the preelection statement, the slate mailer organization~~
21 ~~receives payments totaling five hundred dollars (\$500) or more~~
22 ~~from any person for the support of or opposition to candidates or~~
23 ~~ballot measures in one or more slate mailers, or expends five~~
24 ~~hundred dollars (\$500) or more to produce one or more slate~~
25 ~~mailers:~~

26 ~~(e)~~

27 ~~(b) A slate mailer organization shall file two copies of its~~
28 ~~campaign reports with the clerk of the county in which it is~~
29 ~~domiciled. A slate mailer organization is domiciled at the address~~
30 ~~listed on its statement of organization unless it is domiciled outside~~
31 ~~California, in which case its domicile shall be deemed to be Los~~
32 ~~Angeles County for purposes of this section.~~

33 ~~In addition, slate mailer organizations shall file campaign reports~~
34 ~~as follows:~~

35 ~~(1) A slate mailer organization which produces one or more~~
36 ~~slate mailers supporting or opposing candidates or measures voted~~
37 ~~on in a state election, or in more than one county, shall file~~
38 ~~campaign reports in the same manner as state general purpose~~
39 ~~committees pursuant to subdivision (a) of Section 84215.~~

1 (2) A slate mailer organization which produces one or more
2 slate mailers supporting or opposing candidates or measures voted
3 on in only one county, or in more than one jurisdiction within one
4 county, shall file campaign reports in the same manner as county
5 general purpose committees pursuant to subdivision (c) of Section
6 84215.

7 (3) A slate mailer organization which produces one or more
8 slate mailers supporting or opposing candidates or measures voted
9 on in only one city shall file campaign reports in the same manner
10 as city general purpose committees pursuant to subdivision (d) of
11 Section 84215.

12 (4) Notwithstanding the above, no slate mailer organization
13 shall be required to file more than the original and one copy, or
14 two copies, of a campaign report with any one county or city clerk
15 or with the Secretary of State.

16 SEC. 31. Section 84220 of the Government Code is repealed.

17 ~~84220. If a slate mailer organization receives a payment of two~~
18 ~~thousand five hundred dollars (\$2,500) or more for purposes of~~
19 ~~supporting or opposing any candidate or ballot measure in a slate~~
20 ~~mailer, and the payment is received at a time when, if the payment~~
21 ~~were a contribution it would be considered a late contribution, then~~
22 ~~the slate mailer organization shall report the payment in the manner~~
23 ~~set forth in Section 84203 for candidates and committees when~~
24 ~~reporting late contributions received. The slate mailer organization~~
25 ~~shall, in addition to reporting the information required by Section~~
26 ~~84203, identify the candidates or measures whose support or~~
27 ~~opposition is being paid for, in whole or in part, by each late~~
28 ~~payment.~~

29 SEC. 32. Article 2.5 (commencing with Section 84250) of
30 Chapter 4 of Title 9 of the Government Code is repealed.

31 SEC. 33. Section 84300 of the Government Code is amended
32 to read:

33 ~~84300. (a) No contribution of one hundred dollars (\$100) or~~
34 ~~more shall be made or received in cash.~~

35 ~~A cash contribution shall not be deemed received if it is not~~
36 ~~negotiated or deposited and is returned to the contributor before~~
37 ~~the closing date of the campaign statement on which the~~
38 ~~contribution would otherwise be reported. If a cash contribution,~~
39 ~~other than a late contribution, as defined in Section 82036, is~~
40 ~~negotiated or deposited, it shall not be deemed received if it is~~

1 refunded within 72 hours of receipt. In the case of a late
2 contribution, as defined in Section 82036, it shall not be deemed
3 received if it is returned to the contributor within 48 hours of
4 receipt.

5 (b) No expenditure of one hundred dollars (\$100) or more shall
6 be made in cash.

7 (c) No contribution of one hundred dollars (\$100) or more other
8 than an in-kind contribution shall be made unless in the form of a
9 written instrument containing the name of the donor and the name
10 of the payee and drawn from the account of the donor or the
11 intermediary, as defined in Section 84302.

12 (d)
13 (b) The value of all in-kind contributions of one hundred dollars
14 (\$100) or more shall be reported in writing to the recipient upon
15 the request in writing of the recipient.

16 SEC. 34. Section 84302 of the Government Code is repealed.

17 84302. No person shall make a contribution on behalf of
18 another, or while acting as the intermediary or agent of another,
19 without disclosing to the recipient of the contribution both his own
20 full name and street address, occupation, and the name of his
21 employer, if any, or his principal place of business if he is
22 self-employed, and the full name and street address, occupation,
23 and the name of employer, if any, or principal place of business
24 if self-employed, of the other person. The recipient of the
25 contribution shall include in his campaign statement the full name
26 and street address, occupation, and the name of the employer, if
27 any, or the principal place of business if self-employed, of both
28 the intermediary and the contributor.

29 SEC. 35. Section 84308 of the Government Code is amended
30 to read:

31 84308. (a) The definitions set forth in this subdivision shall
32 govern the interpretation of this section.

33 (1) "Party" means any person who files an application for, or
34 is the subject of, a proceeding involving a license, permit, or other
35 entitlement for use.

36 (2) "Participant" means any person who is not a party but who
37 actively supports or opposes a particular decision in a proceeding
38 involving a license, permit, or other entitlement for use and who
39 has a financial interest in the decision, as described in Article 1
40 (commencing with Section 87100) of Chapter 7. A person actively

1 supports or opposes a particular decision in a proceeding if he or
2 she lobbies in person the officers or employees of the agency,
3 testifies in person before the agency, or otherwise acts to influence
4 officers of the agency.

5 (3) “Agency” means an agency as defined in Section 82003
6 except that it does not include the courts or any agency in the
7 judicial branch of government, local governmental agencies whose
8 members are directly elected by the voters, the Legislature, the
9 State Board of Equalization, or constitutional officers. However,
10 this section applies to any person who is a member of an exempted
11 agency but is acting as a voting member of another agency.

12 (4) “Officer” means any elected or appointed officer of an
13 agency, any alternate to an elected or appointed officer of an
14 agency, and any candidate for elective office in an agency.

15 (5) “License, permit, or other entitlement for use” means all
16 business, professional, trade, and land use licenses and permits
17 and all other entitlements for use, including all entitlements for
18 land use, all contracts (other than competitively bid, labor, or
19 personal employment contracts), and all franchises.

20 (6) “Contribution” includes contributions to candidates and
21 committees in federal, state, or local elections.

22 ~~(b) No officer of an agency shall accept, solicit, or direct a~~
23 ~~contribution of more than two hundred fifty dollars (\$250) from~~
24 ~~any party, or his or her agent, or from any participant, or his or her~~
25 ~~agent, while a proceeding involving a license, permit, or other~~
26 ~~entitlement for use is pending before the agency and for three~~
27 ~~months following the date a final decision is rendered in the~~
28 ~~proceeding if the officer knows or has reason to know that the~~
29 ~~participant has a financial interest, as that term is used in Article~~
30 ~~1 (commencing with Section 87100) of Chapter 7. This prohibition~~
31 ~~shall apply regardless of whether the officer accepts, solicits, or~~
32 ~~directs the contribution for himself or herself, or on behalf of any~~
33 ~~other officer, or on behalf of any candidate for office or on behalf~~
34 ~~of any committee.~~

35 (e)

36 (b) Prior to rendering any decision in a proceeding involving a
37 license, permit or other entitlement for use pending before an
38 agency, each officer of the agency who received a contribution
39 within the preceding 12 months in an amount of more than two
40 hundred fifty dollars (\$250) from a party or from any participant

1 shall disclose that fact on the record of the proceeding. No officer
2 of an agency shall make, participate in making, or in any way
3 attempt to use his or her official position to influence the decision
4 in a proceeding involving a license, permit, or other entitlement
5 for use pending before the agency if the officer has willfully or
6 knowingly received a contribution in an amount of more than two
7 hundred fifty dollars (\$250) within the preceding 12 months from
8 a party or his or her agent, or from any participant, or his or her
9 agent if the officer knows or has reason to know that the participant
10 has a financial interest in the decision, as that term is described
11 with respect to public officials in Article 1 (commencing with
12 Section 87100) of Chapter 7.

13 If an officer receives a contribution which would otherwise
14 require disqualification under this section, returns the contribution
15 within 30 days from the time he or she knows, or should have
16 known, about the contribution and the proceeding involving a
17 license, permit, or other entitlement for use, he or she shall be
18 permitted to participate in the proceeding.

19 ~~(d)~~

20 (c) A party to a proceeding before an agency involving a license,
21 permit, or other entitlement for use shall disclose on the record of
22 the proceeding any contribution in an amount of more than two
23 hundred fifty dollars (\$250) made within the preceding 12 months
24 by the party, or his or her agent, to any officer of the agency. No
25 party, or his or her agent, to a proceeding involving a license,
26 permit, or other entitlement for use pending before any agency
27 and no participant, or his or her agent, in the proceeding shall make
28 a contribution of more than two hundred fifty dollars (\$250) to
29 any officer of that agency during the proceeding and for three
30 months following the date a final decision is rendered by the
31 agency in the proceeding. When a closed corporation is a party to,
32 or a participant in, a proceeding involving a license, permit, or
33 other entitlement for use pending before an agency, the majority
34 shareholder is subject to the disclosure and prohibition
35 requirements specified in ~~subdivisions (b), (c), subdivision (b)~~ and
36 this subdivision.

37 ~~(e)~~

38 (d) Nothing in this section shall be construed to imply that any
39 contribution subject to being reported under this title shall not be
40 so reported.

1 SEC. 36. Section 84602 of the Government Code is amended
2 to read:

3 84602. To implement the Legislature's intent, the Secretary of
4 State, in consultation with the ~~commission~~ *Commission*,
5 notwithstanding any other provision of the Government Code,
6 shall do all of the following:

7 (a) Develop online and electronic filing processes for use by
8 persons and entities specified in Sections 84604 and 84605 that
9 are required to file statements and reports with the Secretary of
10 State's office pursuant to Chapter 4 (commencing with Section
11 84100) and Chapter 6 (commencing with Section 86100). Those
12 processes shall each enable a user to comply with all the disclosure
13 requirements of this title and shall include, at a minimum, the
14 following:

15 (1) A means or method whereby filers subject to this chapter
16 may submit required filings free of charge. Any means or method
17 developed pursuant to this provision shall not provide any
18 additional or enhanced functions or services that exceed the
19 minimum requirements necessary to fulfill the disclosure provisions
20 of this title. At least one means or method shall be made available
21 no later than December 31, 2002.

22 (2) The definition of a nonproprietary standardized record format
23 or formats using industry standards for the transmission of the data
24 that is required of those persons and entities specified in
25 subdivision (a) of Section 84604 and Section 84605 and that
26 conforms with the disclosure requirements of this title. The
27 Secretary of State shall hold public hearings prior to development
28 of the record format or formats as a means to ensure that affected
29 entities have an opportunity to provide input into the development
30 process. The format or formats shall be made public no later than
31 July 1, 1999, to ensure sufficient time to comply with the
32 requirements of this chapter.

33 (b) Accept test files from software vendors and others wishing
34 to file reports electronically, for the purpose of determining whether
35 the file format is in compliance with the standardized record format
36 developed pursuant to subdivision (a) and is compatible with the
37 Secretary of State's system for receiving the data. A list of the
38 software and service providers who have submitted acceptable test
39 files shall be published by the Secretary of State and made available

1 to the public. Acceptably formatted files shall be submitted by a
2 filer in order to meet the requirements of this chapter.

3 (c) Develop a system that provides for the online or electronic
4 transfer of the data specified in this section utilizing
5 telecommunications technology that assures the integrity of the
6 data transmitted and that creates safeguards against efforts to
7 tamper with or subvert the data.

8 (d) Make all the data filed available on the Internet in an easily
9 understood format that provides the greatest public access. The
10 data shall be made available free of charge and as soon as possible
11 after receipt. All ~~late~~ contribution *reports* and late independent
12 expenditure reports, ~~as defined by Sections 84203 and 84204,~~
13 ~~respectively,~~ shall be made available on the Internet within 24
14 hours of receipt. The data made available on the Internet shall not
15 contain the street name and building number of the persons or
16 entity representatives listed on the electronically filed forms or
17 any bank account number required to be disclosed pursuant to this
18 title.

19 (e) Develop a procedure for filers to comply with the
20 requirement that they sign under penalty of perjury pursuant to
21 Section 81004.

22 (f) Maintain all filed data online for 10 years after the date it is
23 filed, and then archive the information in a secure format.

24 (g) Provide assistance to those seeking public access to the
25 information.

26 (h) Implement sufficient technology to seek to prevent
27 unauthorized alteration or manipulation of the data.

28 (i) Provide the ~~commission~~ *Commission* with necessary
29 information to enable it to assist agencies, public officials, and
30 others, with the compliance with and administration of this title.

31 (j) Report to the Legislature on the implementation and
32 development of the online and electronic filing and disclosure
33 requirements of this chapter. The report shall include an
34 examination of system security, private security issues, software
35 availability, compliance costs to filers, use of the filing system and
36 software provided by the Secretary of State, and other issues
37 relating to this chapter, and shall recommend appropriate changes
38 if necessary. In preparing the report, the ~~commission~~ *Commission*
39 may present to the Secretary of State and the Legislature its
40 comments regarding this chapter as it relates to the duties of the

1 ~~commission~~ *Commission* and suggest appropriate changes if
2 necessary. There shall be one report due before the system is
3 operational as set forth in Section 84603, one report due no later
4 than June 1, 2002, and one report due no later than January 31,
5 2003.

6 (k) Review the current filing and disclosure requirements of
7 this chapter and report to the Legislature, no later than June 1,
8 2005, recommendations on revising these requirements so as to
9 promote greater reliance on electronic and online submissions.

10 SEC. 37. Section 84604 of the Government Code is amended
11 to read:

12 84604. (a) The Secretary of State shall implement an online
13 or electronic disclosure program in connection with the 2000 state
14 primary election and the lobbying activities specified in paragraph
15 (4). Entities specified in paragraphs (1), (2), and (3) shall
16 commence online or electronic disclosure with the first preelection
17 statement filed in connection with the 2000 statewide direct
18 primary election for the period ending January 22, 2000, and shall
19 continue to disclose online or electronically all required reports
20 and statements up to and including the semiannual statement for
21 the period ending June 30, 2000. Entities specified in paragraph
22 (4) shall commence online or electronic disclosure with the
23 quarterly report for the period ending March 31, 2000, and shall
24 continue to disclose online or electronically all required reports
25 and statements up to and including the quarterly report for the
26 period ending June 30, 2000. The entities subject to this section
27 are the following:

28 (1) Any candidate, including appellate court and Supreme Court
29 candidates and officeholders, committee, or other persons who are
30 required, pursuant to Chapter 4 (commencing with Section 84100),
31 to file statements, reports, or other documents in connection with
32 a state elective office or state measure appearing on the 2000
33 statewide direct primary ballot, provided that the total cumulative
34 reportable amount of contributions received, expenditures made,
35 loans made, or loans received is one hundred thousand dollars
36 (\$100,000) or more. For the purpose of cumulating totals, the
37 period covered shall commence January 1, 1999.

38 (2) Any general purpose committees, as defined in Section
39 82027.5, including the general purpose committees of political
40 parties, and small contributor committees, as defined in Section

1 85203, that cumulatively receive contributions or make
2 expenditures totaling one hundred thousand dollars (\$100,000) or
3 more to support or oppose candidates for any elective state office
4 or state measure appearing on the 2000 statewide direct primary
5 ballot. For the purpose of cumulating totals, the period covered
6 shall commence January 1, 1999.

7 (3) Any slate mailer organization with cumulative reportable
8 payments received or made for the purposes of producing slate
9 mailers of one hundred thousand dollars (\$100,000) or more in
10 connection with the 2000 statewide direct primary election. For
11 the purpose of cumulating totals, the period covered shall
12 commence January 1, 1999.

13 (4) Any lobbyist, lobbying firm, lobbyist employer, or other
14 persons required, pursuant to Chapter 6 (commencing with Section
15 86100), to file statements, reports, or other documents, provided
16 that the total amount of any category of reportable payments,
17 expenses, contributions, gifts, or other items is one hundred
18 thousand dollars (\$100,000) or more in a calendar quarter.

19 (b) Filers specified in subdivision (a) shall also continue to file
20 required disclosure forms in paper format. The paper copy shall
21 continue to be the official version for audit and other legal
22 purposes. Committees and other persons that are not required to
23 file online or electronically by this section may do so voluntarily.

24 (c) The Secretary of State shall also disclose on the Internet any
25 late contribution *report* or late independent expenditure report, ~~as~~
26 ~~defined by Sections 84203 and 84204, respectively,~~ not covered
27 by subdivision (a).

28 (d) It shall be presumed that online or electronic filers file under
29 penalty of perjury.

30 SEC. 38. Section 84605 of the Government Code is amended
31 to read:

32 84605. (a) The following persons shall file online or
33 electronically with the Secretary of State:

34 (1) Any candidate, including superior court, appellate court,
35 and Supreme Court candidates and officeholders, committee, or
36 other persons who are required, pursuant to Chapter 4 (commencing
37 with Section 84100), to file statements, reports, or other documents
38 in connection with a state elective office or state measure, provided
39 that the total cumulative reportable amount of contributions
40 received, expenditures made, loans made, or loans received is

1 twenty-five thousand dollars (\$25,000) or more. In determining
2 the cumulative reportable amount, all controlled committees, as
3 defined by Section 82016, shall be included. For a committee
4 subject to this title prior to January 1, 2000, the beginning date for
5 calculating cumulative totals is January 1, 2000. For a committee
6 that is first subject to this title on or after January 1, 2000, the
7 beginning date for calculating cumulative totals is the date the
8 committee is first subject to this title. A committee, as defined in
9 subdivision (c) of Section 82013, shall file online or electronically
10 if it makes contributions of twenty-five thousand dollars (\$25,000)
11 or more in a calendar year.

12 (2) Any general purpose committees, as defined in Section
13 82027.5, including the general purpose committees of political
14 parties, and small contributor committees, as defined in Section
15 85203, that cumulatively receive contributions or make
16 expenditures totaling twenty-five thousand dollars (\$25,000) or
17 more to support or oppose candidates for any elective state office
18 or state measure. For a committee subject to this title prior to
19 January 1, 2000, the beginning date for calculating cumulative
20 totals is January 1, 2000. For a committee that first is subject to
21 this title on or after January 1, 2000, the beginning date for
22 calculating cumulative totals is the date the committee is first
23 subject to this title.

24 (3) Any slate mailer organization with cumulative reportable
25 payments received or made for the purposes of producing slate
26 mailers of twenty-five thousand dollars (\$25,000) or more. For a
27 slate mailer organization subject to this title prior to January 1,
28 2000, the beginning date for calculating cumulative totals is
29 January 1, 2000. For a slate mailer organization that first is subject
30 to this title on or after January 1, 2000, the beginning date for
31 calculating cumulative totals is the date the organization is first
32 subject to this title.

33 (4) Any lobbyist, lobbying firm, lobbyist employer, or other
34 persons required, pursuant to Chapter 6 (commencing with Section
35 86100), to file statements, reports, or other documents, provided
36 that the total amount of any category of reportable payments,
37 expenses, contributions, gifts, or other items is two thousand five
38 hundred dollars (\$2,500) or more in a calendar quarter.

39 (b) The Secretary of State shall also disclose on the Internet any
40 late contribution *report* or late independent expenditure report, as

1 ~~defined by Sections 84203 and 84204, respectively,~~ not covered
2 by paragraph (1), (2), or (3) of subdivision (a) or any other
3 provision of law.

4 (c) Committees and other persons that are not required to file
5 online or electronically by this section may do so voluntarily.

6 (d) Once a person or entity is required to file online or
7 electronically, subject to subdivision (a) or (c), the person or entity
8 shall be required to file all subsequent reports online or
9 electronically.

10 (e) It shall be presumed that online or electronic filers file under
11 penalty of perjury.

12 (f) Persons filing online or electronically shall also continue to
13 file required disclosure statements and reports in paper format.
14 The paper copy shall continue to be the official filing for audit and
15 other legal purposes until the Secretary of State, pursuant to Section
16 84606, determines the system is operating securely and effectively.

17 (g) The Secretary of State shall maintain at all times a secured,
18 official version of all original online and electronically filed
19 statements and reports required by this chapter. Upon determination
20 by the Secretary of State, pursuant to Section 84606, that the
21 system is operating securely and effectively, this online or
22 electronic version shall be the official version for audit and other
23 legal purposes.

24 (h) Except for statements related to a local elective office or a
25 local ballot measure filed by a candidate for local elective office
26 who is also a candidate for elective state office, a copy of a
27 statement, report, or other document filed by online or electronic
28 means with the Secretary of State shall not be filed with a local
29 filing officer.

30 SEC. 39. Section 84609 of the Government Code is amended
31 to read:

32 84609. All candidates and ballot measure committees who are
33 required, pursuant to Chapter 4 (commencing with Section 84100),
34 to file statements, reports, or other documents in connection with
35 a statewide elective office or state measure appearing on the
36 November 1998 ballot shall provide at the time of filing, in addition
37 to a paper submission, a copy of the required report on computer
38 disk in either an ASCII or PDF format with documentation
39 detailing the field layout or file structure. Filers who submit
40 computer disks which are not readable, cannot be copied, or do

1 not have documentation have not complied with the requirements
2 of this section. Candidate and ballot measure committees who
3 make their report available on the Internet through the Secretary
4 of State's office are not required to file the report on computer
5 disk. The Secretary of State shall make copies available to the
6 public, upon payment of fees covering direct costs of duplication,
7 or a statutory fee, if applicable. The Secretary of State shall also
8 disclose online; any late contribution *report* or late independent
9 expenditure report, ~~as defined by Sections 84203 and 84204~~
10 ~~respectively~~, filed in connection with any elective state office or
11 ballot measure appearing on the November 1998 ballot.

12 SEC. 40. Section 85300 of the Government Code is repealed.

13 ~~85300. No public officer shall expend and no candidate shall~~
14 ~~accept any public moneys for the purpose of seeking elective office.~~

15 SEC. 41. Section 85301 of the Government Code is repealed.

16 ~~85301. (a) A person, other than a small contributor committee~~
17 ~~or political party committee, may not make to any candidate for~~
18 ~~elective state office other than a candidate for statewide elective~~
19 ~~office, and a candidate for elective state office other than a~~
20 ~~candidate for statewide elective office may not accept from a~~
21 ~~person, any contribution totaling more than three thousand dollars~~
22 ~~(\$3,000) per election.~~

23 ~~(b) Except to a candidate for Governor, a person, other than a~~
24 ~~small contributor committee or political party committee, may not~~
25 ~~make to any candidate for statewide elective office, and except a~~
26 ~~candidate for Governor, a candidate for statewide elective office~~
27 ~~may not accept from a person other than a small contributor~~
28 ~~committee or a political party committee, any contribution totaling~~
29 ~~more than five thousand dollars (\$5,000) per election.~~

30 ~~(c) A person, other than a small contributor committee or~~
31 ~~political party committee, may not make to any candidate for~~
32 ~~Governor, and a candidate for governor may not accept from any~~
33 ~~person other than a small contributor committee or political party~~
34 ~~committee, any contribution totaling more than twenty thousand~~
35 ~~dollars (\$20,000) per election.~~

36 ~~(d) The provisions of this section do not apply to a candidate's~~
37 ~~contributions of his or her personal funds to his or her own~~
38 ~~campaign.~~

39 SEC. 42. Section 85302 of the Government Code is repealed.

1 ~~85302. (a) A small contributor committee may not make to~~
2 ~~any candidate for elective state office other than a candidate for~~
3 ~~statewide elective office, and a candidate for elective state office,~~
4 ~~other than a candidate for statewide elective office may not accept~~
5 ~~from a small contributor committee, any contribution totaling more~~
6 ~~than six thousand dollars (\$6,000) per election.~~

7 ~~(b) Except to a candidate for Governor, a small contributor~~
8 ~~committee may not make to any candidate for statewide elective~~
9 ~~office and except for a candidate for Governor, a candidate for~~
10 ~~statewide elective office may not accept from a small contributor~~
11 ~~committee, any contribution totaling more than ten thousand dollars~~
12 ~~(\$10,000) per election.~~

13 ~~(c) A small contributor committee may not make to any~~
14 ~~candidate for Governor, and a candidate for governor may not~~
15 ~~accept from a small contributor committee, any contribution~~
16 ~~totaling more than twenty thousand dollars (\$20,000) per election.~~

17 ~~SEC. 43. Section 85303 of the Government Code is repealed.~~

18 ~~85303. (a) A person may not make to any committee, other~~
19 ~~than a political party committee, and a committee other than a~~
20 ~~political party committee may not accept, any contribution totaling~~
21 ~~more than five thousand dollars (\$5,000) per calendar year for the~~
22 ~~purpose of making contributions to candidates for elective state~~
23 ~~office.~~

24 ~~(b) A person may not make to any political party committee,~~
25 ~~and a political party committee may not accept, any contribution~~
26 ~~totaling more than twenty-five thousand dollars (\$25,000) per~~
27 ~~calendar year for the purpose of making contributions for the~~
28 ~~support or defeat of candidates for elective state office.~~
29 ~~Notwithstanding Section 85312, this limit applies to contributions~~
30 ~~made to a political party used for the purpose of making~~
31 ~~expenditures at the behest of a candidate for elective state office~~
32 ~~for communications to party members related to the candidate's~~
33 ~~candidacy for elective state office.~~

34 ~~(c) Except as provided in Section 85310, nothing in this chapter~~
35 ~~shall limit a person's contributions to a committee or political party~~
36 ~~committee provided the contributions are used for purposes other~~
37 ~~than making contributions to candidates for elective state office.~~

38 ~~(d) Nothing in this chapter limits a candidate for elected state~~
39 ~~office from transferring contributions received by the candidate~~
40 ~~in excess of any amount necessary to defray the candidate's~~

1 ~~expenses for election related activities or holding office to a~~
2 ~~political party committee, provided those transferred contributions~~
3 ~~are used for purposes consistent with paragraph (4) of subdivision~~
4 ~~(b) of Section 89519.~~

5 SEC. 44. Section 85304 of the Government Code is amended
6 to read:

7 85304. (a) A candidate for elective state office or an elected
8 state officer may establish a separate account to defray attorney's
9 fees and other related legal costs incurred for the candidate's or
10 officer's legal defense if the candidate or officer is subject to one
11 or more civil or criminal proceedings or administrative proceedings
12 arising directly out of the conduct of an election campaign, the
13 electoral process, or the performance of the officer's governmental
14 activities and duties. These funds may be used only to defray those
15 ~~attorney~~ attorney's fees and other related legal costs.

16 (b) ~~A candidate may receive contributions to this account that~~
17 ~~are not subject to the contribution limits set forth in this article.~~
18 ~~However, all~~ All contributions shall be reported in ~~a~~ the manner
19 prescribed by ~~the commission~~ Section 84200.

20 (c) Once the legal dispute is resolved, the candidate shall dispose
21 of any funds remaining after all expenses associated with the
22 dispute are discharged for one or more of the purposes set forth in
23 paragraphs (1) to (5), inclusive, of subdivision (b) of Section
24 89519.

25 SEC. 45. Section 85304.5 of the Government Code is amended
26 to read:

27 85304.5. (a) A candidate for elective office other than an
28 elective state office or an elected officer other than an elected state
29 officer may establish a separate account pursuant to subdivision
30 (a) of Section 85304 and may use these funds only to defray
31 attorney's fees and other related legal costs.

32 (b) A candidate for an elective office other than an elective state
33 office may receive contributions to the separate account, *which*
34 *shall not be* subject to any limitations provided by local ordinance.
35 However, all contributions to these separate accounts shall be
36 reported in ~~a~~ the manner prescribed by ~~the commission~~ Section
37 84200.

38 (c) Once the legal dispute is resolved, the candidate or elected
39 officer shall dispose of any funds remaining in the separate
40 accounts after all expenses associated with the dispute are

1 discharged for one or more of the purposes set forth in paragraphs
2 (1) to (5), inclusive, of subdivision (b) of Section 89519.

3 SEC. 46. Section 85305 of the Government Code is repealed.

4 ~~85305. A candidate for elective state office or committee~~
5 ~~controlled by that candidate may not make any contribution to any~~
6 ~~other candidate for elective state office in excess of the limits set~~
7 ~~forth in subdivision (a) of Section 85301.~~

8 SEC. 47. Section 85306 of the Government Code is amended
9 to read:

10 85306. (a) A candidate may transfer campaign funds from one
11 controlled committee to a controlled committee for elective state
12 office of the same candidate. Contributions transferred shall be
13 attributed to specific contributors using a “last in, first out” or “first
14 in, first out” accounting method; ~~and these attributed contributions~~
15 ~~when aggregated with all other contributions from the same~~
16 ~~contributor may not exceed the limits set forth in Section 85301~~
17 ~~or 85302.~~

18 (b) Notwithstanding subdivision (a), a candidate for elective
19 state office, other than a candidate for statewide elective office,
20 who possesses campaign funds on January 1, 2001, may use those
21 funds to seek elective office without attributing the funds to specific
22 contributors.

23 (c) Notwithstanding subdivision (a), a candidate for statewide
24 elective office who possesses campaign funds on November 6,
25 2002, may use those funds to seek elective office without
26 attributing the funds to specific contributors.

27 SEC. 48. Section 85307 of the Government Code is repealed.

28 ~~85307. (a) The provisions of this article regarding loans apply~~
29 ~~to extensions of credit, but do not apply to loans made to a~~
30 ~~candidate by a commercial lending institution in the lender's~~
31 ~~regular course of business on terms available to members of the~~
32 ~~general public for which the candidate is personally liable.~~

33 ~~(b) Notwithstanding subdivision (a), a candidate for elective~~
34 ~~state office may not personally loan to his or her campaign,~~
35 ~~including the proceeds of a loan obtained by the candidate from a~~
36 ~~commercial lending institution, an amount, the outstanding balance~~
37 ~~of which exceeds one hundred thousand dollars (\$100,000). A~~
38 ~~candidate may not charge interest on any loan he or she made to~~
39 ~~his or her campaign.~~

40 SEC. 49. Section 85309 of the Government Code is repealed.

~~85309. (a) In addition to any other report required by this title, a candidate for elective state office who is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars (\$1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.~~

~~(b) In addition to any other report required by this title, any committee primarily formed to support or oppose one or more state ballot measures that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of one thousand dollars (\$1,000) or more received during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 24 hours of receipt of the contribution.~~

~~(c) In addition to any other report required by this title, a candidate for elective state office who is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of five thousand dollars (\$5,000) or more received at any time other than during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 10 business days of receipt of the contribution.~~

~~(d) In addition to any other report required by this title, a committee primarily formed to support or oppose a state ballot measure that is required to file reports pursuant to Section 84605 shall file online or electronically with the Secretary of State a report disclosing receipt of a contribution of five thousand dollars (\$5,000) or more received at any time other than during an election cycle. Those reports shall disclose the same information required by subdivision (a) of Section 84203 and shall be filed within 10 business days of receipt of the contribution.~~

SEC. 50. Section 85310 of the Government Code is amended to read:

85310. (a) Any person who makes a payment or a promise of payment totaling fifty thousand dollars (\$50,000) or more for a communication that clearly identifies a candidate for elective state

1 office, but does not expressly advocate the election or defeat of
2 the candidate, and that is disseminated, broadcast, or otherwise
3 published within 45 days of an election, shall file online or
4 electronically with the Secretary of State a report disclosing the
5 name of the person, address, occupation, and employer, and amount
6 of the payment. The report shall be filed within 48 hours of making
7 the payment or the promise to make the payment.

8 (b) (1) Except as provided in paragraph (2), if any person has
9 received a payment or a promise of a payment from other persons
10 totaling five thousand dollars (\$5,000) or more for the purpose of
11 making a communication described in subdivision (a), the person
12 receiving the payments shall disclose on the report the name,
13 address, occupation and employer, and date and amount received
14 from the person.

15 (2) A person who receives or is promised a payment that is
16 otherwise reportable under paragraph (1) is not required to report
17 the payment if the person is in the business of providing goods or
18 services and receives or is promised the payment for the purpose
19 of providing those goods or services.

20 ~~(c) Any payment received by a person who makes a~~
21 ~~communication described in subdivision (a) is subject to the limits~~
22 ~~specified in subdivision (b) of Section 85303 if the communication~~
23 ~~is made at the behest of the clearly identified candidate.~~

24 SEC. 51. Section 85314 of the Government Code is repealed.

25 ~~85314. The contribution limits of this chapter apply to special~~
26 ~~elections and apply to special runoff elections. A special election~~
27 ~~and a special runoff election are separate elections for purposes~~
28 ~~of the contribution and voluntary expenditure limits set forth in~~
29 ~~this chapter.~~

30 SEC. 52. Section 85315 of the Government Code is amended
31 to read:

32 85315. (a) Notwithstanding any other provision of this chapter,
33 an elected state officer may establish a committee to oppose the
34 qualification of a recall measure, and the recall election. This
35 committee may be established when the elected state officer
36 receives a notice of intent to recall pursuant to Section 11021 of
37 the Elections Code. An elected state officer may accept campaign
38 contributions to oppose the qualification of a recall measure, ~~and~~
39 ~~if qualification is successful, the recall election, without regard to~~
40 ~~the campaign contributions limits set forth in this chapter. The~~

1 voluntary expenditure limits do not apply to expenditures made
2 to oppose the qualification of a recall measure or to oppose the
3 recall election.

4 (b) After the failure of a recall petition or after the recall
5 election, the committee formed by the elected state officer shall
6 wind down its activities and dissolve. Any remaining funds shall
7 be treated as surplus funds and shall be expended within 30 days
8 after the failure of the recall petition or after the recall election for
9 a purpose specified in subdivision (b) of Section 89519.

10 SEC. 53. Section 85316 of the Government Code is amended
11 to read:

12 85316. (a) Except as provided in subdivision (b), a contribution
13 for an election may be accepted by a candidate for elective state
14 office after the date of the election only to the extent that the
15 contribution does not exceed net debts outstanding from the
16 election, ~~and the contribution does not otherwise exceed the~~
17 ~~applicable contribution limit for that election.~~

18 (b) Notwithstanding subdivision (a), an elected state officer
19 may accept contributions after the date of the election for the
20 purpose of paying expenses associated with holding the office
21 provided that the contributions are not expended for any
22 contribution to any state or local committee. Contributions received
23 pursuant to this subdivision shall be deposited into a bank account
24 established solely for the purposes specified in this subdivision.

25 ~~(1) No person shall make, and no elected state officer shall~~
26 ~~receive from a person, a contribution pursuant to this subdivision~~
27 ~~totaling more than the following amounts per calendar year:~~

28 ~~(A) Three thousand dollars (\$3,000) in the case of an elected~~
29 ~~state officer of the Assembly or Senate.~~

30 ~~(B) Five thousand dollars (\$5,000) in the case of a statewide~~
31 ~~elected state officer other than the Governor.~~

32 ~~(C) Twenty thousand dollars (\$20,000) in the case of the~~
33 ~~Governor.~~

34 ~~(2) No elected state officer shall receive contributions pursuant~~
35 ~~to paragraph (1) that, in the aggregate, total more than the following~~
36 ~~amounts per calendar year:~~

37 ~~(A) Fifty thousand dollars (\$50,000) in the case of an elected~~
38 ~~state officer of the Assembly or Senate.~~

39 ~~(B) One hundred thousand dollars (\$100,000) in the case of a~~
40 ~~statewide elected state officer other than the Governor.~~

1 ~~(C) Two hundred thousand dollars (\$200,000) in the case of the~~
2 ~~Governor.~~

3 ~~(3)~~

4 ~~(c) Any contribution received pursuant to this subdivision~~
5 ~~section shall be deemed to be a contribution to that candidate for~~
6 ~~election to any state office that he or she may seek during the term~~
7 ~~of office to which he or she is currently elected, including, but not~~
8 ~~limited to, reelection to the office he or she currently holds, and~~
9 ~~shall be subject to any applicable contribution limit provided in~~
10 ~~this title. If a contribution received pursuant to this subdivision~~
11 ~~exceeds the allowable contribution limit for the office sought, the~~
12 ~~candidate shall return the amount exceeding the limit to the~~
13 ~~contributor on a basis to be determined by the Commission. None~~
14 ~~of the expenditures made by elected state officers pursuant to this~~
15 ~~subdivision shall be subject to the voluntary expenditure limitations~~
16 ~~in Section 85400.~~

17 ~~(4) The commission shall adjust the calendar year contribution~~
18 ~~limitations and aggregate contribution limitations set forth in this~~
19 ~~subdivision in January of every odd-numbered year to reflect any~~
20 ~~increase or decrease in the Consumer Price Index. Those~~
21 ~~adjustments shall be rounded to the nearest one hundred dollars~~
22 ~~(\$100).~~

23 SEC. 54. Section 85320 of the Government Code is repealed.

24 ~~85320. (a) No foreign government or foreign principal shall~~
25 ~~make, directly or through any other person, any contribution,~~
26 ~~expenditure, or independent expenditure in connection with the~~
27 ~~qualification or support of, or opposition to, any state or local ballot~~
28 ~~measure.~~

29 ~~(b) No person and no committee shall solicit or accept a~~
30 ~~contribution from a foreign government or foreign principal in~~
31 ~~connection with the qualification or support of, or opposition to,~~
32 ~~any state or local ballot measure.~~

33 ~~(c) For the purposes of this section, a "foreign principal"~~
34 ~~includes the following:~~

35 ~~(1) A foreign political party.~~

36 ~~(2) A person outside the United States, unless either of the~~
37 ~~following is established:~~

38 ~~(A) The person is an individual and a citizen of the United~~
39 ~~States.~~

1 ~~(B) The person is not an individual and is organized under or~~
2 ~~created by the laws of the United States or of any state or other~~
3 ~~place subject to the jurisdiction of the United States and has its~~
4 ~~principal place of business within the United States.~~

5 ~~(3) A partnership, association, corporation, organization, or~~
6 ~~other combination of persons organized under the laws of or having~~
7 ~~its principal place of business in a foreign country.~~

8 ~~(4) A domestic subsidiary of a foreign corporation if the decision~~
9 ~~to contribute or expend funds is made by an officer, director, or~~
10 ~~management employee of the foreign corporation who is neither~~
11 ~~a citizen of the United States nor a lawfully admitted permanent~~
12 ~~resident of the United States.~~

13 ~~(d) This section shall not prohibit a contribution, expenditure,~~
14 ~~or independent expenditure made by a lawfully admitted permanent~~
15 ~~resident.~~

16 ~~(e) Any person who violates this section shall be guilty of a~~
17 ~~misdemeanor and shall be fined an amount equal to the amount~~
18 ~~contributed or expended.~~

19 SEC. 55. Section 85321 of the Government Code is repealed.

20 ~~85321. Notwithstanding any other provision of this chapter, if~~
21 ~~a candidate for elective state office or the candidate's controlled~~
22 ~~committee had net debts resulting from an election held prior to~~
23 ~~January 1, 2001, contributions to that candidate or committee for~~
24 ~~that election are not subject to the limits of Sections 85301 and~~
25 ~~85302.~~

26 SEC. 56. Section 85501 of the Government Code is amended
27 to read:

28 85501. A controlled committee of a candidate may not make
29 independent expenditures and may not contribute funds to another
30 committee for the purpose of making independent expenditures to
31 support or oppose other candidates.

32 SEC. 57. Section 85701 of the Government Code is repealed.

33 ~~85701. Any candidate or committee that receives a contribution~~
34 ~~in violation of Section 84301 shall pay to the General Fund of the~~
35 ~~state the amount of the contribution.~~

36 SEC. 58. Section 85702 of the Government Code is repealed.

37 ~~85702. An elected state officer or candidate for elected state~~
38 ~~office may not accept a contribution from a lobbyist, and a lobbyist~~
39 ~~may not make a contribution to an elected state officer or candidate~~
40 ~~for elected state office, if that lobbyist is registered to lobby the~~

1 ~~governmental agency for which the candidate is seeking election~~
2 ~~or the governmental agency of the elected state officer.~~

3 SEC. 59. Section 85704 of the Government Code is repealed.

4 ~~85704. A person may not make any contribution to a committee~~
5 ~~on the condition or with the agreement that it will be contributed~~
6 ~~to any particular candidate unless the contribution is fully disclosed~~
7 ~~pursuant to Section 84302.~~

8 SEC. 60. Section 89510 of the Government Code is amended
9 to read:

10 89510. ~~(a) A candidate for elective state office may only accept~~
11 ~~contributions within the limits provided in Chapter 5 (commencing~~
12 ~~with Section 85100).~~

13 ~~(b) All contributions deposited into the campaign account shall~~
14 ~~be deemed to be held in trust for expenses associated with the~~
15 ~~election of the candidate or for expenses associated with holding~~
16 ~~office.~~

17 SEC. 61. Section 89511.5 of the Government Code is amended
18 to read:

19 89511.5. (a) An incumbent elected officer may utilize his or
20 her personal funds for expenditures authorized by ~~subdivision (b)~~
21 ~~of~~ Section 89510 without first depositing those funds in his or her
22 controlled committee's campaign bank account, if both of the
23 following conditions are met:

24 (1) The expenditures are not campaign expenses.

25 (2) The treasurer of the committee is provided with a dated
26 receipt and a written description of the expenditure.

27 (b) An incumbent elected officer may be reimbursed for
28 expenditures of his or her personal funds, from either the controlled
29 committee campaign bank account established pursuant to Section
30 85201 with respect to election to the incumbent term of office, or
31 from a controlled committee campaign bank account established
32 pursuant to Section 85201 with respect to election to a future term
33 of office, if all of the following conditions are met:

34 (1) The expenditures are not campaign expenses.

35 (2) The incumbent elected officer, prior to reimbursement,
36 provides the treasurer of the committee with a dated receipt and a
37 written description of each expenditure.

38 (3) Reimbursement is paid within 90 days of the expenditure,
39 in the case of a cash expenditure, or within 90 days of the end of

1 the billing period in which it was included, in the case of an
2 expenditure charged to a credit card or charge account.

3 ~~(e) When the elected officer's controlled committee is notified~~
4 ~~that expenditures totaling one hundred dollars (\$100) or more in~~
5 ~~a fiscal year have been made by the incumbent elected officer, the~~
6 ~~committee shall report, pursuant to subdivision (k) of Section~~
7 ~~84211, the expenditures on the campaign statement for the period~~
8 ~~in which the expenditures were made and the reimbursements on~~
9 ~~the campaign statement for the period in which the reimbursements~~
10 ~~were made.~~

11 ~~(d)~~

12 (c) If reimbursement is not paid within the time authorized by
13 this section, the expenditure shall be reported on the campaign
14 statement as a nonmonetary contribution received on the 90th day
15 after the expenditure is paid, in the case of a cash expenditure, or
16 within 90 days of the end of the billing period in which it was
17 included, in the case of an expenditure charged to a credit card or
18 charge account.

19 ~~(e)~~

20 (d) This section shall not be construed to authorize an incumbent
21 elected officer to make expenditures from any campaign bank
22 account for expenses other than those expenses associated with
23 his or her election to the specific office for which the account was
24 established and expenses associated with holding that office.

25 SEC. 62. Section 89512.5 of the Government Code is amended
26 to read:

27 89512.5. (a) Subject to the provisions of subdivision (b), any
28 expenditure by a committee not subject to the trust imposed by
29 ~~subdivision (b) of Section 89510~~ shall be reasonably related to a
30 political, legislative, or governmental purpose of the committee.

31 (b) Any expenditure by a committee that confers a substantial
32 personal benefit on any individual or individuals with authority to
33 approve the expenditure of campaign funds held by the committee,
34 shall be directly related to a political, legislative, or governmental
35 purpose of the committee.

36 SEC. 63. Section 89513 of the Government Code is amended
37 to read:

38 89513. This section governs the use of campaign funds for the
39 specific expenditures set forth in this section. It is the intent of the
40 Legislature that this section shall guide the interpretation of the

1 standard imposed by Section 89512 as applied to other expenditures
2 not specifically set forth in this section.

3 (a) (1) Campaign funds shall not be used to pay or reimburse
4 the candidate, the elected officer, or any individual or individuals
5 with authority to approve the expenditure of campaign funds held
6 by a committee, or employees or staff of the committee or the
7 elected officer's governmental agency for travel expenses and
8 necessary accommodations except when these expenditures are
9 directly related to a political, legislative, or governmental purpose.

10 (2) For the purposes of this section, payments or reimbursements
11 for travel and necessary accommodations shall be considered as
12 directly related to a political, legislative, or governmental purpose
13 if the payments would meet standards similar to the standards of
14 the Internal Revenue Service pursuant to Sections 162 and 274 of
15 the Internal Revenue Code for deductions of travel expenses under
16 the federal income tax law.

17 (3) For the purposes of this section, payments or reimbursement
18 for travel by the household of a candidate or elected officer when
19 traveling to the same destination in order to accompany the
20 candidate or elected officer shall be considered for the same
21 purpose as the candidate's or elected officer's travel.

22 ~~(4) Whenever campaign funds are used to pay or reimburse a~~
23 ~~candidate, elected officer, his or her representative, or a member~~
24 ~~of the candidate's household for travel expenses and necessary~~
25 ~~accommodations, the expenditure shall be reported as required by~~
26 ~~Section 84211.~~

27 ~~(5)~~

28 (4) Whenever campaign funds are used to pay or reimburse for
29 travel expenses and necessary accommodations, any mileage credit
30 that is earned or awarded pursuant to an airline bonus mileage
31 program shall be deemed personally earned by or awarded to the
32 individual traveler. Neither the earning or awarding of mileage
33 credit, nor the redeeming of credit for actual travel, shall be subject
34 to reporting pursuant to Section 84211.

35 (b) (1) Campaign funds shall not be used to pay for or reimburse
36 the cost of professional services unless the services are directly
37 related to a political, legislative, or governmental purpose.

38 (2) Expenditures by a committee to pay for professional services
39 reasonably required by the committee to assist it in the performance

1 of its administrative functions are directly related to a political,
2 legislative, or governmental purpose.

3 (3) Campaign funds shall not be used to pay health-related
4 expenses for a candidate, elected officer, or any individual or
5 individuals with authority to approve the expenditure of campaign
6 funds held by a committee, or members of his or her household.
7 “Health-related expenses” includes, but is not limited to,
8 examinations by physicians, dentists, psychiatrists, psychologists,
9 or counselors, expenses for medications, treatments or medical
10 equipment, and expenses for hospitalization, health club dues, and
11 special dietary foods. However, campaign funds may be used to
12 pay employer costs of health care benefits of a bona fide employee
13 or independent contractor of the committee.

14 (c) Campaign funds shall not be used to pay or reimburse fines,
15 penalties, judgments, or settlements, except those resulting from
16 either of the following:

17 (1) Parking citations incurred in the performance of an activity
18 that was directly related to a political, legislative, or governmental
19 purpose.

20 (2) Any other action for which payment of attorney’s fees from
21 contributions would be permitted pursuant to this title.

22 (d) Campaign funds shall not be used for campaign, business,
23 or casual clothing except specialty clothing that is not suitable for
24 everyday use, including, but not limited to, formal wear, if this
25 attire is to be worn by the candidate or elected officer and is directly
26 related to a political, legislative, or governmental purpose.

27 (e) (1) Except where otherwise prohibited by law, campaign
28 funds may be used to purchase or reimburse for the costs of
29 purchase of tickets to political fundraising events for the attendance
30 of a candidate, elected officer, or his or her immediate family, or
31 an officer, director, employee, or staff of the committee or the
32 elected officer’s governmental agency.

33 (2) Campaign funds shall not be used to pay for or reimburse
34 for the costs of tickets for entertainment or sporting events for the
35 candidate, elected officer, or members of his or her immediate
36 family, or an officer, director, employee, or staff of the committee,
37 unless their attendance at the event is directly related to a political,
38 legislative, or governmental purpose.

1 (3) The purchase of tickets for entertainment or sporting events
2 for the benefit of persons other than the candidate, elected officer,
3 or his or her immediate family are governed by subdivision (f).

4 (f) (1) Campaign funds shall not be used to make personal gifts
5 unless the gift is directly related to a political, legislative, or
6 governmental purpose. The refund of a campaign contribution
7 does not constitute the making of a gift.

8 (2) Nothing in this section shall prohibit the use of campaign
9 funds to reimburse or otherwise compensate a public employee
10 for services rendered to a candidate or committee while on
11 vacation, leave, or otherwise outside of compensated public time.

12 (3) An election victory celebration or similar campaign event,
13 or gifts with a total cumulative value of less than two hundred fifty
14 dollars (\$250) in a single year made to an individual employee, a
15 committee worker, or an employee of the elected officer's agency,
16 are considered to be directly related to a political, legislative, or
17 governmental purpose. For purposes of this paragraph, a gift to a
18 member of a person's immediate family shall be deemed to be a
19 gift to that person.

20 (g) Campaign funds shall not be used to make loans other than
21 to organizations pursuant to Section 89515, or, unless otherwise
22 prohibited, to a candidate for elective office, political party, or
23 committee.

24 SEC. 64. Section 90002 of the Government Code is amended
25 to read:

26 90002. (a) Audits and investigations of lobbying firms and
27 lobbyist employers shall be performed on a biennial basis and shall
28 cover reports filed during a period of two years.

29 (b) If a lobbying firm or lobbyist employer keeps a separate
30 account for all receipts and payments for which reporting is
31 required by this chapter, the requirement of an audit under
32 subdivision (a) of Section 90001 shall be satisfied by an audit of
33 that account and the supporting documentation required to be
34 maintained by Section 86110.

35 (c) No audit or investigation of any candidate, controlled
36 committee, or committee primarily supporting or opposing a
37 candidate or a measure in connection with a report or statement
38 required by Chapter 4 ~~of this title~~ (*commencing with Section*
39 *84100*), shall begin until after the last date for filing the first report
40 or statement following the general, runoff, or special election for

1 the office for which the candidate ran, or following the election at
2 which the measure was adopted or defeated, except that audits and
3 investigations of statewide candidates, their controlled committees,
4 and committees primarily supporting or opposing those statewide
5 candidates who were defeated in the primary election and who are
6 not required to file statements for the general election may begin
7 after the last date for filing the first report or statement following
8 the primary election. When the campaign statements or reports of
9 a candidate, controlled committee, or a committee primarily
10 supporting or opposing a candidate are audited and investigated
11 pursuant to Section 90001, the audit and investigation shall cover
12 all campaign statements and reports filed for the primary and
13 general or special or runoff elections and any previous campaign
14 statement or report filed pursuant to Section 84200 or 84200.5
15 since the last election for that office, but shall exclude any
16 statements or reports which have previously been audited pursuant
17 to Section 90001 or 90003. When the campaign statements or
18 reports of a committee primarily supporting or opposing a measure
19 are audited and investigated, the audit and investigation shall cover
20 all campaign statements and reports from the beginning date of
21 the first campaign statement filed by the committee in connection
22 with the measure. For all other committees, the audit and
23 investigation shall cover all campaign statements filed during the
24 previous two calendar years.

25 SEC. 65. No reimbursement is required by this act pursuant to
26 Section 6 of Article XIII B of the California Constitution because
27 the duties imposed on a local agency or school district by this act
28 were expressly included in a ballot measure approved by the voters
29 in a statewide election, within the meaning of Section 17556 of
30 the Government Code.

31 SEC. 66. The Secretary of State shall, pursuant to subdivision
32 (b) of Section 81012 of the Government Code, submit Sections 3
33 to 64, inclusive, of this act to the voters for approval at a statewide
34 election in accordance with Section 9040 of the Elections Code.

35 SEC. 67. Sections 1 and 2 of this act shall not become operative
36 unless and until the voters approve the amendments to the Political
37 Reform Act of 1974 (Title 9 (commencing with Section 81000))

1 of the Government Code) made by Sections 3 to 64, inclusive, of
2 this act, at the statewide election described in Section 66.

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